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ABSTRACT

In 1969, the New York City school decentralization law divided the city school system into 31 (later 32) community school districts, each under the auspices of a locally elected board. The findings and recommendations of a large-scale evaluation of the governance of New York City schools in the post-decentralization era are presented in this report. Among the major recommendations are: (1) community school boards should be enabled to perform to the full extent of the roles envisioned by law in the management of schools under their jurisdiction; (2) community board accountability and effectiveness should be fostered through consistent oversight by central authorities and community board election reform; (3) the centrally-run instructional programs (such as certain high schools and special education programs) must be revitalized by vesting responsibilities for the high school in representative governance units independent of the city board and chancellor and decentralizing special education programs; (4) the governance structure should foster broader community and parent participation at all levels of the school system; (5) the primary responsibilities of the chancellor and city board should be redefined; and (6) to ensure that reforms are carried out, an independent, overseeing commission should be established. Concluding the report are separate statements by several members of the Public Education Association, a list of individuals interviewed by the researchers, and a selected bibliography. (KH)

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GOVERNING THE NEW YORK CITY SCHOOLS

4-2-87

Roles and Relationships in the Decentralized System

A REPORT OF THE BOARD
OF TRUSTEES OF THE
PUBLIC EDUCATION ASSOCIATION

BY NANCY M. LEDERMAN
JEANNE S. FRANKL
JUDITH BAUM

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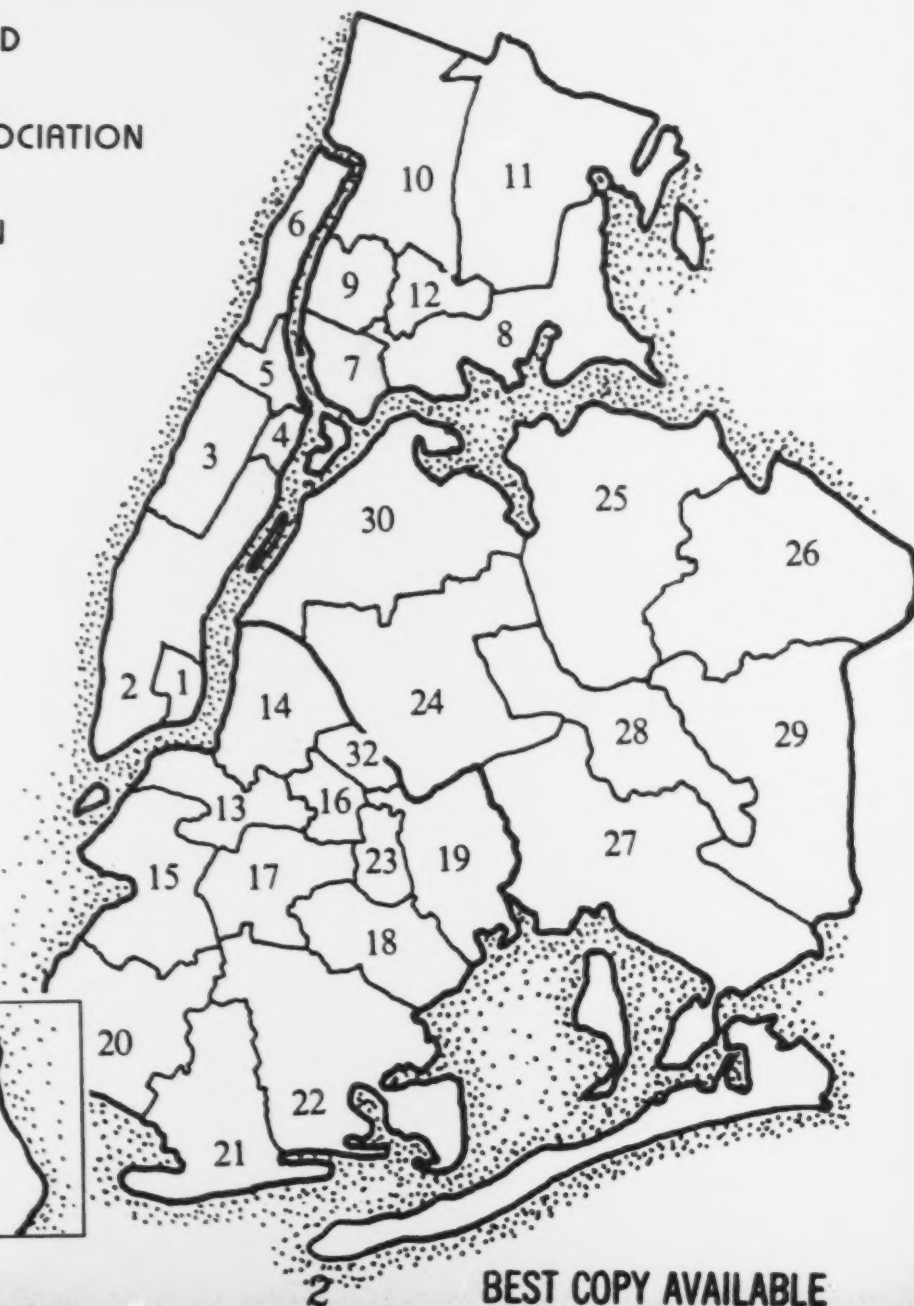
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**A REPORT OF THE BOARD
OF TRUSTEES OF THE
PUBLIC EDUCATION ASSOCIATION**

**BY NANCY M. LEDERMAN
JEANNE S. FRANKL
JUDITH BAUM**

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TABLE OF CONTENTS

Acknowledgments.	1
Foreword	111
Summary.	v
Introduction	1
I. The City Schools and Their Operation	7
Elementary and Junior High Schools Since Decentralization	7
Accomplishments and Disappointments	7
Parent and Community Involvement	10
The Role of the Community Superintendent	13
The Community School Boards Election Process	14
Community School Boards: Constraints and Frustrations.	17
Limitations on Authority	17
Performance of Support Functions by Central Authorities.	19
Technical Assistance and Training	21
Lack of Consultation	22
Fiscal Dependency and Budgetary Restrictions	24
Personnel Restrictions	26
Disparities Among Districts.	30
High Schools and Special Education Since Decentralization.	31
Accomplishments and Disappointments	32
Implications of Central Government.	33
II. Citywide Functions and Their Implications	37
The Functions of the City Board and Chancellor.	37
Oversight and Intervention	39
Support and Interaction with Districts	43
Mobilization of Public Support	44
Structural Problems in Central Governance	45
The City Board Selection Process	45
Overlapping Powers in the Central Governance Structure	46
Political Accountability of the Chancellor	47
Conflicting Functions of the Chancellor.	48
III. The Need for Reform	51
IV. New Roles and Relationships: Recommendations for Change.	59
1. Community School Board Empowerment	59
2. Community School Board Accountability.	67
3. High Schools and Special Education	73
4. Community and Parent Participation	78
5. Chancellor's Role and Responsibilities	83
6. City Board's Role and Responsibilities	89
7. Transition	98
Separate Statements	99
Interviews.	105
Selected Bibliography	109

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We also wish to acknowledge our substantial debt to the Governance Committee of PEA's Board of Trustees who inspired this project, monitored it from its inception, and generously gave of their time and wisdom to comment and debate on the various issues raised in this study. Members include Terence Benbow, Esq., originally Chair of the Committee; Ralph Brande; Dr. Roscoe C. Brown, Jr.; Candido de Leon; Mary Ellen Fahs, President of PEA; Camilla Flemming; Sheila Haber; William Josephson, Esq., counsel; Rhoda Karpatkin, Esq.; Letty Cottin Pogrebin; Elsie F. Richardson; Royce Roth; Louise Sclove; David Seeley; and of course, Bernard L. Charles, Chair of Trustees and of the Governance Committee.

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Nancy M. Lederman
Jeanne S. Frankl
Judith Baum

February 25, 1987

FOREWORD

This study was conceived two years ago when the mayor of the City of New York reiterated a long-standing desire to change the composition and selection of the city Board of Education. By appointing a majority of its members the mayor would control selection of the chancellor in the school system for which he was fiscally responsible. His initiative precipitated a flurry of counter-recommendations purporting to address the need for more effective school administration.

Some years before, the Public Education Association had done an exhaustive analysis of options for structuring the central school administration. It revealed the complexity of the structural choices available and the differing impacts they might have on school operations. Thus, PEA was surprised that sixteen years after the New York City public school system had been decentralized, central governance changes were being recommended with little if any consideration of whether they were necessary, appropriate, or adequate to respond to the many deficiencies that had been cited in the functioning of that system and the relationships among the various actors responsible. To extend the discussion, the Board of Trustees decided to seek funds to conduct an inquiry into the range of issues bearing on the central school governance structure. The Rockefeller Foundation funded the inquiry, of which the following report is the product.

Our study expanded as a combination of new circumstances, including a nationwide call for education reform, invoked a sense of urgency about school conditions and precipitated an intensive public discussion of the

city schools. In the new climate, we had to address the underlying question of whether decentralization was viable at all. Our literature review, interviews, and field research all bore on the rationale for decentralization, the degree to which it had proven or failed to prove itself, and the advantages and deficiencies encountered in implementation.

Thus, this study is somewhat different from the one originally contemplated, both in its starting point and its conclusions. Instead of opening with a discussion of the city board and chancellor and their roles in the city school system, it begins with a discussion of community schools and local governance. Beyond presenting the issues in central governance, it expresses the conclusions of the Public Education Association about the governance of the school system as a whole and PEA's recommendations to make it more effective.

The conclusions and recommendations presented were honed in an extended, deliberative process that engaged the authors of this report, members of the PEA board, and particularly the members of the board's Governance Committee. The result was often a consensus on difficult questions, a majority view on other matters, and, in a few cases, a separate or dissenting view, which is reported at the end of this document. We hope that this report will stimulate discussion in the larger community and that all who add their own thinking to this debate will find our study useful.

Bernard M. Charles
Mary Ellen Fahs
February 25, 1987

SUMMARY

Eighteen years ago, in response to a pervasive sense that the public schools were failing, the New York City school decentralization law divided the city school system into 31 (later 32) community school districts each under the auspices of a locally elected board. These boards were to shape and manage elementary and intermediate schools in response to local priorities. High schools and special education programs remained under the jurisdiction of the city board and newly created office of chancellor, who were also to set and enforce policies and standards for the school system as a whole.

The law was a political compromise framed in heated contention among those who opposed and supported the initiative. Despite thoughtful analysis which underlay the original design, it distributed limited and overlapping powers that diffused authority and blurred accountability. Today, concern about these ambiguities spurred by disappointment with educational outcomes and outrage at reports of local patronage has reopened issues about specific provisions and caused some to question whether decentralization is a sound idea.

The Public Education Association, a 90-year old citizens group with a background of research and observation of the city schools, undertook a broad-based look at the post-decentralization experience to assess its successes and failures, ascertain the degree to which problems inhere in the governance structure, and determine the nature of needed governance reform. We reviewed the literature and conducted more than 70 interviews with people deeply involved from both in and outside the educational and

political systems. Our full report, reflecting extensive deliberations by PEA's broadly representative Board of Trustees and ad hoc Governance Committee, contains findings, conclusions, and detailed recommendations for change with accompanying explanations.

FINDINGS

THE CITY SCHOOLS AND THEIR OPERATIONS

Elementary and Junior High Schools Since Decentralization

There was substantial evidence of the positive educational influence of the local governance system but many disappointments, ascribed, on the whole, to two factors: (1) drawbacks in the community school board election system and (2) constraints imposed by the central authorities and by law on the capacity of local boards to function effectively.

Persuasive evidence of the value of local governance was found in many districts where superintendents and principals selected by community school boards have been responsible for excellent, innovative schools and programs reflecting community priorities. Locally generated school improvement initiatives in such areas as remedial reading, early diagnosis of problems, peer tutoring, staff development, bilingual education, and community relations have often been extended district-wide.

Decentralization has realized political objectives with important educational significance. Local board membership has afforded minorities a degree of political representation previously unavailable in the school system and unparalleled in any other elected body in the city or state.

This has produced a more responsive and ethnically integrated administration in most community school districts, an openness not characteristic of the pre-decentralization system, and a school system that on the whole has been relatively quiet politically, permitting an environment more conducive to learning.

Unfortunately, the successes are not pervasive. Within and among districts, there are enormous differences in commitment, capacity, and school performance. Many district schools continue to perform inadequately, notably those with poor, minority, and non-English-speaking students. Many community school boards have become highly politicized. School board elections have generated increasingly lower levels of participation, and special interest groups including unions, churches, and political clubs dominate many boards.

Decentralization has enhanced and capitalized on community influence in many schools and districts, but unprepared and ill-supported parent groups have usually found it impossible to prevail against schools and school boards that resist their views and participation. Community superintendents now are generally more oriented to their communities and schools than were district superintendents under the centralized system. However, political instability of some boards and confusion about their roles has had an adverse effect on the ability of some superintendents to be effective.

The community school board election process has contributed strongly to the politicization of the community school system and attendant failures. The low visibility of the elections encourages media neglect of issues and candidates. The process of preferential voting (proportional

representation) is problematic. On the one hand, it has ensured that, to the extent they come out to vote, ethnic and political minorities are represented in proportion to their strength in a district. On the other hand, its complexity is reported by many to deter voting significantly, contributing to the capture by special interest groups of commanding majorities on many boards. Despite these dissatisfactions, it is generally believed that elected boards provide an opportunity for meaningful access by parents and citizens to school policy and that abuses are susceptible to being redressed by election reforms.

The decentralization law's distribution of powers among central and local authorities and the way this allocation has been interpreted centrally have seriously limited the effectiveness of community school boards. The mixed allocation of responsibilities might work if there were collaboration between central and local agencies. Instead, competition for power and resources has been the rule since passage of the law.

As far as central authorities were concerned, the day after decentralization was in most respects identical to the day before. In educational support functions, central authorities have been more concerned with developing their own agendas than with facilitating local priorities. They have retained funds in areas in which community school boards have independent statutory authority. They have also badly mismanaged business and managerial support functions reserved to them, such as major repairs and independent purchase of supplies, hampering performance of school-site functions.

These problems have been compounded by lack of central commitment to provide community school boards the training and technical assistance required by law or to consult with them on matters of local concern. In

fact, the persistent failure of consultation is a repeated complaint. By ignoring local information and experience that might contribute to the central policymaking process, central authorities aggravate ill will over controversial directives and hinder effective program implementation at the local level.

Restrictions on community school boards in budget and personnel matters further impede execution of their responsibilities. In addition to questionable central retention of funds authorized for local purposes, the categorical allocation of funds, despite its often salutary intentions, inhibits initiative and innovation at the school level.

The archaic and complex licensing system implemented by the city's unique board of examiners is an obstacle to community school board recruitment of personnel. While proponents support this system as a check against patronage and other selection abuses, it does not fully address these problems, and, to the extent that it does, has become redundant by virtue of new state certification testing. Other personnel restrictions which hamper local authorities include rules contained in state law and employment contracts. Although community school boards have a statutorily prescribed advisory role in the collective bargaining process, it is barely acknowledged by central authorities.

Finally, the reluctance or inability of central authorities to grapple with problems of disparate needs and resources among districts has compounded the problems of many districts faced with acute overcrowding and exceptionally large and shifting populations of educationally disadvantaged youngsters. Current law requires that district lines be redrawn to accommodate changes in population which have occurred since decentralization. The consensus is that it would be a mistake to disrupt working relationships and shared assumptions about educational practice in

this fashion, but redressing resource disparities is a universal concern.

High Schools and Special Education Since Decentralization

The experience of high schools and special education since decentralization has been characterized more by failure than by success, and the administration of these programs has been subject to the same kinds of problems that beset the locally run elementary and junior high schools, compounded by multiple layers of authority which delimit accountability.

In the centrally run high schools, there have been innovative career and academic programs, successful alternative high schools, and useful linkages with a number of corporations and universities. In special education, there have been recent strides in providing a huge population of children with handicapping conditions special placements and some degree of special help.

However, the achievements of specialized and innovative high schools and programs, generally perceived to serve only a select population, have had little impact on the zoned high schools, which remain the only option for most students. More than 35% of all students who enter high school and vastly larger proportions of minority and non-English speaking students are still dropping out. In special education, the successes pale in comparison with the failure to provide quality programs for more than a fraction of the 100,000 children involved.

The city board and chancellor are shielded from accountability for these schools and programs by multiple layers of authority between them and the schools. For the most part, entrenched professional supervisory

staff act autonomously, standing guard against policy change, and there has been a notable absence of commitment to excellence or equity for all students.

The administration of the centrally run programs has been characterized by the same counterproductive features complained of in regard to elementary and intermediate schools: inequities in distribution of resources, politicization of appointments, failure to involve parents and take advantage of community resources and, ironically, competition rather than cooperation from central support units. In addition, failure to interact effectively with community school boards has prevented necessary coordination between high schools and the junior high or intermediate schools from which they draw their students.

CITYWIDE FUNCTIONS AND THEIR IMPLICATIONS

The intention of the decentralization law that city board and chancellor provide leadership, support, and oversight to the community school district system has been unrealized in practice at least partly due to statutory provisions for selection of the city board, overlapping and incompatible functions of city board and chancellor, and conflicting responsibilities of the chancellorship.

Although the legislative scheme that emerges from the decentralization law is of a strong central administration to back up the local districts and schools, successive city boards and chancellors have not fulfilled this responsibility. Despite persistent overregulation in both central and local programs, no central authority was standing guard

against failure. The statutory mechanisms that exist to identify and call attention to problems of the school system have not been employed on a systematic basis. Information available and data collected is not generally utilized for long-range planning or policy development. Until recently there have been no citywide student performance or attendance standards.

Where central authorities do intervene to redress local inequities or abuses, it is usually where driven by political pressure, threatened cutoff of government funds, or litigation. Interventions short of supersession or suspension are seldom used, despite the authority to provide technical assistance or corrective measures.

The problems of mismanaged central business and support functions, already noted, are ascribed largely to the entrenched character of the multiple central bureaucracies controlling them. The failure of central authorities to cut through the maze reflects at least in part a lack of commitment to serving the community school districts, a lack which is also manifest in the meager attempt since decentralization to reconceive and redirect the roles of central staff toward this purpose.

City boards since decentralization have also failed as effective advocates for an adequate school budget. Since the mayor and state legislature are the primary sources of funds for the city schools, success in budget advocacy requires mobilizing public support for the schools, which are in competition with other municipal priorities. This, too, is a role in which the central authorities' efforts have proved disappointing.

The city board's leadership and oversight failures are generally ascribed to the limited qualifications of its members and their preoccupation with narrow constituency interests. Most believe that the

method of its appointment--two members by the mayor and one by each of five borough presidents--provides neither representativeness nor responsiveness and diffuses accountability.

The chancellor's initiative is compromised by incapacitating competition with the city board and diverse political pressures. Despite the fact that the chancellor is vested by law with the powers granted to boards of education statewide, the city board continues to interfere in administrative matters. The board's per diem compensation and ample staff are perceived as inviting involvement in trivia.

At the same time, the chancellor must answer to the mayor, who because of his decisive control over the education budget plays a thinly disguised but major role in the chancellor's selection, the content of the program budget, and the resolution of other controversial issues.

The chancellor's responsibility is further diffused by his multi-functional role. Operational control of high schools and special education occasions specific conflicts not only in the allocation of funds among these and other functional units of the school system but in the roles of setting and monitoring compliance with educational standards and laws and regulations governing matters such as personnel appointments and fiscal management. In addition, there is the inherent difficulty for a highly visible leader to seek distinction in office through roles requiring different kinds of public image.

CONCLUSIONS

The deficiencies in school governance, directly implicated in a disappointing pattern of limited success and widespread failure throughout

the city school system, do not warrant replacing the elected community school board structure but do call for reforms in the election process and change in the laws and practices which shape the way the central authorities relate to community school districts.

The New York City school system requires structural reforms to remove present constraints on initiative of local and central school officials, provide support and assistance for community school districts, and provide checks and balances necessary to ensure adherence to law and educational standards and commitment to a child-centered agenda at all levels of the school system.

Locally elected school boards, elsewhere taken for granted, remain the preferred institution for operational control. The school system is too large and complex to be administered as a single district, and there are important societal and educational values in the continuance of elected community school boards. The history of the New York schools affirms their benefit. It also confirms that recentralization will provide no miracle cure for the political problems. These must be addressed by election reform and vigilant, disinterested oversight.

In our vision of a more effective school system, local authorities must shape policy and implement programs that meet student needs and command local support. Central authorities must focus their full attention on providing leadership, support, training, assistance, and oversight. Structural reform must define a central role that fosters local initiative and responsibility by engaging local authorities in policy development.

The chancellor's role must be redefined to embrace an enlarged responsibility in regard to these critical central functions, to exclude inconsistent or competitive operational roles, and to clarify relationships with the city board so that he provides leadership and is guided by lay perspectives. The city board must be reconstituted to ensure commitment to its role as a lay, policymaking body responsible to the entire city for mobilizing public support and establishing goals for the schools, free from competition with the chancellor and free to monitor his performance.

All reforms must be directed toward institutionalization of parent and community involvement and broadening of participation at all levels of the educational process.

RECOMMENDATIONS

1. Community school boards should be enabled to perform to the full extent the roles envisioned by law in the management of schools under their jurisdiction through (a) full recognition of their existing powers and duties, (b) elimination of the board of examiners, (c) establishment of structures to ensure the recognition of their rights and their inclusion in central policy development, (d) central support and training, (e) reorientation of central staff to their functions in the decentralized school system, and (f) reduction in resource disparities among districts.

(a) Full recognition of existing community school board powers and duties.

- The chancellor should be mandated to honor and freely implement local boards' legal rights with reference to program responsibilities and consultation on budget preparation, allocation of funds, and collective bargaining.
- Allocation formulas should be examined so that funds now retained by central operations for use in the community school districts may be allocated to the respective districts.

(b) The board of examiners' licensing authority should be eliminated.

(c) Establishment of structures to ensure the recognition of community school board rights and local board inclusion in central policy development.

- Local boards should be represented on citywide governance committees, to be convened by the city board to enlist parent, community, and professional involvement in policy development.
- Local boards should be represented on screening committees that select city board members.
- Local boards should be represented in the alternative structures proposed for the governance of the city's high schools.
- An association of community school board members should be established by law and staffed with public funds, to provide training and act as an advocacy arm of the local school boards.
- Local school boards should be encouraged to become members of the New York State School Boards Association.

(d) Central support and training.

- The chancellor should be required to conduct a systematic and comprehensive review of central business and support functions and publicize and implement detailed plans for their more efficient execution.
- The chancellor should be responsible for providing a full program of training to community school board members and technical assistance to the districts.

(e) The chancellor should be required to develop and implement a training program to reorient central staff members to the performance of their functions in a decentralized school system.

(f) Reduction in resource disparities among districts.

- The resources of community school districts should be reviewed by the chancellor and the city board, and detailed plans published for equalizing physical facilities and student access to educational opportunity.
- The decentralization law should be amended to eliminate the requirement that each district must maintain a minimum of 15,000 pupils.

2. Community school board accountability and effectiveness should be fostered through (a) consistent and meaningful oversight by central authorities and (b) community school board election reform.
 - (a) The chancellor must use the powers of the office to ensure that community school boards both comply with law and that they meet standards of educational effectiveness.
 - (b) Community school board election reform.
 - The present election system of proportional representation should be replaced by direct election of members from subdistricts.
 - Simplified campaign finance rules should be made applicable to community school board elections.
 - City school system employees and political officeholders should not be permitted to serve as community school board members.
 - Permanent special units should be established within the board of elections and the board of education to conduct, monitor, and promote community school board elections.
3. The centrally run instructional programs must be revitalized by (a) vesting responsibilities for the high schools in representative governance units independent of the city board and chancellor and (b) decentralizing special education programs.
 - (a) High Schools
 - The high schools should be administered under jurisdiction independent of the chancellor but subject to his oversight.
 - An interim governance committee should be convened to provide policy direction for the high schools.
 - Community school boards should be empowered to create and operate high schools or high school programs within their districts.
 - A study should be conducted to review and make proposals for reform of the high school governance system consistent with the goal of providing excellent and equitable high school education for all city youth.
 - (b) Special education programs should be legislatively decentralized.
4. The governance structure should foster broader community and parent participation at all levels of the school system, through (a) institutionalization of greater community and parent roles in the

selection of school officials and (b) their increased involvement in educational policy determinations.

(a) Institutionalization of greater community and parent roles in the selection of school officials.

- City board members should be appointed on advice of a representative screening panel that includes community and parent representatives.
- Selection of the chancellor by the city board should be a public process with opportunity for discussion with candidates and input prior to selection.

(b) Increased involvement of parents and community in educational policy determination.

- The city board should be required to convene committees to enlist parent and community, as well as community school board and professional, involvement in policy development.
- An annual allocation of funds should be provided to one or more associations of parent groups to support technical assistance and training in parent roles.

5. The chancellor's primary responsibilities should be to provide central leadership for the system, hold local authorities accountable for meeting citywide standards, and ensure that business and support functions are carried out equitably and effectively. The chancellor must be motivated and enabled to perform these critical roles, through (a) divesting him of operating authority over high schools and special education programs, (b) making him a voting member of the city board, and (c) amending the state certification requirement for the chancellor to allow a wider choice of candidates.

(a) The chancellor should be divested of operating authority for high schools and special education programs, in order to clarify and focus the central role of support and oversight.

(b) The chancellor should be made a voting member of the city board.

(c) The state certification requirement for the chancellor should be amended.

6. The city board's primary responsibilities should be to select the chancellor and, with him or her, to assess the educational needs of the city; develop goals, policies, and standards; and mobilize support of the school from legislators, community, business, human services agencies, and the general public. To motivate and enable the performance of these critical roles, the city board should be (a) part-time, unsalaried, but provided with reasonable expenses, an honorarium, and sufficient staff; (b) appointed by the mayor on advice of a screening panel, with continued provision for geographical representation in its composition; (c) divested of direct jurisdiction for instructional operations and of

administrative and adjudicative functions; and (d) required to issue an annual statement of goals and objectives and make an annual evaluation of the school system.

- (a) The city board should be a part-time, unsalaried body, but provided with reasonable expenses, an honorarium, and sufficient staff.
 - (b) Board members should be appointed by the mayor on advice of a screening panel, with continued provision for geographical representation in the composition of the board.
 - (c) Board members should be divested of administrative and adjudicative functions, as well as direct jurisdiction for high schools and special education programs.
 - (d) The city board should be required to issue an annual statement of goals and objectives and make an annual evaluation of the school system.
7. In order to ensure that reforms are carried out, a transition commission independent of the board of education should be established by law to oversee the process of change and report to the legislature on its implementation.

INTRODUCTION

In 1969, after extensive debate within and outside of the educational community, detailed legislation replaced the central system of governing New York City's public schools with a multifaceted "New York City Community School District System." The decentralization law distributed responsibility for education among a popularly elected city school board, an appointed chancellor, and locally elected community school boards. Subject to the policymaking and standard-setting authorities of the city board and chancellor, the community school boards were to shape and manage educational programs in schools under their jurisdictions in response to local priorities and needs.

School decentralization responded to diverse educational and political concerns. At the height of the civil rights movement, the plight of the poor and of racial minorities was receiving unprecedented public attention. The public schools, and particularly their centralized professional bureaucracy, were perceived as failing disadvantaged and discriminated-against students. Local control was urged as a way of giving parents and advocates for these students greater involvement and voice in their education. Election to local school boards was further viewed by some as a desirable stepping stone through which minorities could progress toward broader participation in the political system.

The move to give citizens political control of the schools and establish locally elected school governing bodies was not confined to

disadvantaged minorities, but addressed the desire of other city communities to gain more access to school administrators and obtain more influence over the schools. It gained momentum in response to declining achievement levels, increasing costs, and controversies over integration, all of which led to public demands for greater participation and system-wide accountability. The increasing alienation of local communities from the schools was vividly displayed in citywide confrontations on educational issues. Several plans for decentralization, developed under various auspices, occasioned fierce debate.

The legislation enacted in 1969 responded to these concerns by creating 31 (later increased to 32) elected community school boards to govern elementary and intermediate schools and programs in as many community school districts. However, the law which emerged reflected vociferous and powerful opposition to decentralization from professional unions and others who feared its implications. Although generally following the structural design envisioned in the plan submitted by the board of education to the legislature, the result was conceded to be a compromise reflecting the contentions among these forces. The city board of education was continued as the policymaking body for the entire city school district, and the city schools superintendency was replaced with the newly created office of "chancellor," designed to exceed the former superintendency in status, leadership, and power. Local autonomy was compromised in extensive provisions for central control over budget, personnel, collective bargaining, and administrative functions (and further eroded in succeeding years by various amendments such as

elimination of local authority to run school lunch programs and removal of the requirement that a plan for the decentralization of comprehensive high schools be developed and completed by 1973). The effort to resolve numerous legislative disputes led to ambiguous draftsmanship on key provisions regarding the distribution of powers within the school system. Moreover, a critical proposal for an independent transition commission to oversee the conversion from the centralized to decentralized system was not incorporated into the bill, and the election of a new city board required by the law was prevented when a federal court declared unconstitutional the provision for election of one member each by citizens in five boroughs of widely disparate size. This allowed the five-member interim board, appointed by the borough presidents to serve during the transition period, to continue in office as the city board; subsequent legislative action gave the mayor appointing authority for two additional seats. Thus, a carefully conceived plan to provide for political and administrative decentralization of the city schools subject to central oversight, support, and safeguards was launched in substantially bowdlerized form.

Almost two decades later, there are again calls for restructuring the school governance system. Disappointment in the progress of the schools during the intervening period and outrage at reports of local patronage have cast doubt over the continuing value of local control of the schools, causing some to urge political recentralization by substituting appointed for elected boards or dramatically reducing the number of boards. Others have called for greater mayoral accountability in the school system. The implication is that increased central authority will bring about educational excellence and reduce or eliminate

patronage. Recent nationwide calls for education reform have elicited similar prescriptive responses on the state level.

Both public expectations of the school system and the conditions under which they are fulfilled have undergone radical change since passage of the decentralization law. During the intervening period, the student population in New York City has become overwhelmingly poor and minority, and the parent and middle-class constituencies for public education have substantially declined. At the same time, economic and social factors have fostered the view that learning should expand both to a higher standard and to a broader population than ever before. The need for a well-educated citizenry and work force, combined with increased legislative acknowledgment of individual rights and citizen advocacy for the assertion of those rights, has made the number of dropouts or poorly educated stay-ins intolerable and has given rise to demands for schooling that enables all to succeed.

If school governance is to be relevant to realization of these goals, the ideal they represent must be incorporated into any reform of the governance system. The purpose of this study is to examine the present governance structure in the light of a realistic appraisal of the post-decentralization experience, its successes and its failures, and the likelihood that reforms such as greater mayoral accountability or recentralization would be more conducive to the achievement of contemporary educational needs and objectives.

PEA starts with a frank bias in favor not of the individual provisions but of the basic structure set forth in the decentralization law. Governance of a school system alone cannot determine the quality of schooling. Certainly, the governance structure has implications for

educational policy formation and resource utilization and may foster or impede support for the schools. However, research has made increasingly clear that school performance is mostly determined by school level initiatives. Moreover, the outcomes of students and schools are as much a function of actions and interactions among the learners, their parents, and the community, as of what goes on in the school and classroom. Substantial changes in school governance structures cause significant upheaval in the school community and the schools. These factors militate strongly against another major overhaul in the school system absent persuasive evidence that the reforms would redress the system's current failures.

Furthermore, the decentralized structure is compatible with our notion of the roles of parents and communities in the education of their children. It is hard to imagine how school and community can interact in support of the education of youngsters in a city of seven million people if the school system is entrusted to a single remote headquarters. The alienating effects on the school system of the insular pre-decentralization bureaucracy have been thoroughly documented. Administrative decentralization is clearly necessary to facilitate connections between schools, parents, and local communities. Political decentralization--that is, the vesting of responsibility in elected local bodies--adds the possibility that communities and parents will participate in shaping their schools' policies and programs in response to the inevitable differences among them. PEA has long supported such lay participation in school governance, both as a reflection of the values of a democratic society and because of its potential for establishing school-community connections in public education.

We note that neither the difficulties of lay school governance nor the persistent support for it is unique to New York City. Indeed, many of the criticisms presently directed at community school boards are identical to criticisms of school boards nationwide. A recent study published by the Institute for Educational Leadership (IEL) found that "Board members increasingly are perceived as representing special interests, and the trusteeship notion of service in which board members represent the entire community has been less prominent in recent years." IEL reported deep public apathy reflected in the difficulty of attracting quality candidates to serve as board members in many communities and low voter turnout for board elections. Nevertheless, the study found "strong support for maintaining the basic institutional role and structure of the school board."

Thus, we began our inquiry mindful of the problems that have occurred under decentralization but with a predisposition in favor of local governance. We attempted an objective assessment of the system's success and failures measured against the original objectives of decentralization to connect the schools with their communities and generate educational initiatives responsive to their concerns. Where we found these goals were not met, our inquiry explored the degree to which problems were inherent in the governance structure and the extent to which reforms could prove helpful to the resolution of problems and the achievement of educational goals.

Chapter One

THE CITY SCHOOLS AND THEIR OPERATION

Elementary and Junior High Schools since Decentralization

Accomplishments and Disappointments

The primary innovation intended by the decentralization law was improvement of education at the elementary and junior high school levels by the empowerment of a lay voice in the governance of these local schools. We found that decentralization has realized this goal to a degree that demonstrates its value, but that the successes are marred by some egregious failures.

Examples of good elementary and junior high schools abound throughout the city. Persuasive evidence of the influence of local governance in bringing this about was found in the considerable number of districts where locally selected superintendents and principals have been responsible for excellent and often innovative schools and programs. In many of these cases, school improvement initiatives generated by a local board and/or its superintendent, or initiated by school-level appointees, have been extended district-wide.

District 4 in East Harlem, District 13 in Brooklyn, and District 1 in Manhattan are among those most frequently cited for district-wide strategies which have met with significant and sustained success. In each of these districts, a poor, minority, low-achieving school population has achieved dramatic gains in school performance measured by test scores.

Also, as we were repeatedly reminded in our interviews and as PEA's ongoing school studies confirm, these are only examples of the successful utilization of local capacity. Many districts have developed and institutionalized their own successful programs in such areas as remedial reading, early diagnosis, kindergarten and pre-kindergarten, peer tutoring, staff development, and community relations. That the focus is often a matter of special local concern to which central authorities have given limited priority, e.g., bilingual education, affirms that local control can and often does realize the basic goal of connecting the public with its schools. Such examples of district-wide innovation and school improvement take on additional significance when it is appreciated that the pupil population of each community school district in the city is as large as the entire school population of the average United States city or suburb.

Decentralization has also realized political objectives, with important educational significance. Election to local boards has afforded minority groups a degree of political representation previously unavailable in the school system and unparalleled in any other elected body in the city. Greater access and the diffusion of citywide problems has led to a school system that on the whole has been relatively quiet politically, permitting an environment more conducive to learning. In a substantial number of community districts, effective local governance since decentralization has solidified educational communities, healing severe rifts among racial and ethnic groups that had disrupted the educational process.

A number of districts appear to be making the difficult transition from middle-class white to integrated or predominantly poor and minority school populations, while preserving high standards of expectation and professionalism and effectively adapting programs to new or more diverse needs. A considerable number of boards have appointed minority superintendents, among them the most successful superintendents in the system. Minority representation among school staff has also increased substantially since 1969. In fact, many of those we interviewed believed that decentralization has generally improved professional leadership at the school and district level, reflected in the emergence of a more responsive and ethnically integrated administration in most local districts and an openness that was not characteristic of the pre-decentralization system.

Unfortunately, the successes are not pervasive. Within and among districts, there are enormous differences in commitment, capacity, and school performance. Several district schools continue to perform inadequately, most notably those with poor, minority and non-English speaking students. In many cases, it is apparent that poor policymaking and bad administration are culpable.

Moreover, many community school boards have become highly politicized, frequently with detrimental impact on their educational mission. We read and heard many reports of unredressed political abuses at the school and district levels, faulty administration of schools and districts, and neglect of legal responsibilities to particular groups of children. Personnel decisions made on the basis of ethnicity or political patronage rather than merit are not the rule, but common enough to be a

source of major concern. School board elections have generated increasingly lower levels of participation from an initial high in 1970 of 15% to about 7% in the most recent election, thus allowing special interest groups, such as union, church, and political clubs, to dominate many of the boards. In some districts, political or ethnic struggles have prevented the emergence of a sustained majority and the political stability necessary to effectively utilize existing resources. Moreover, these political problems thwart the intention of the decentralization law in two particular respects.

Parent and Community Involvement

It was frequently observed in our interviews that the increase in parent and community involvement in education envisioned by proponents of decentralization had failed to materialize. Many of those we interviewed cited the low voter turnout in community school board elections, the persistent inability of parents to monitor and control board decisions that were motivated by special interest groups, and continuing reports of lack of access by parents to the local decision-making process. Parent representatives in particular expressed the view that many schools and districts continued to be inhospitable and unsympathetic to their concerns. Some professionals emphasized the difficulty of engaging parents either in school-based planning and support activities or in strategies to enhance their children's attendance and learning. Members of both groups believed that parent and advocacy groups had failed to attain the degree of influence in community school districts that they had developed at the central level and in some local school communities before decentralization. It was widely agreed that the influence of citywide educational advocacy groups, including the United Parents Association, had

been diminished by the dispersal of authority to community school board levels without concomitant decentralization of the advocacy community.

At the same time, we found countervailing evidence that decentralization had enhanced and capitalized on community influence in many schools and districts. This was manifest in the way that district and school leaders, in whose hiring parent and community members participated, addressed the priorities and special needs of local communities and their children. We also found many examples of specific, effective outreach by schools and communities to parents, as well as independent, successful initiatives by some districts to engage local businesses in support of their schools. In many cases these efforts, focused for the first time on minority and non-English speaking parents and children in disadvantaged neighborhoods, have begun to make substantial inroads in enlisting the involvement of people themselves uneducated or unfamiliar with the schools.

Moreover, any discussion of parent and community involvement in the schools must take into account that the cards are stacked against such involvement by factors that a structure for participation cannot fully address. Parents have always had difficulty getting access to school planning and decision-making, which has been resisted by most school professionals in private as well as public systems. In the years before decentralization, assiduous and well-informed efforts by middle-class parents to establish rapport with school pedagogues and officials or to have a voice in their decisions were frequently successful. But poor, uneducated parents rarely received a welcome or an opportunity to participate. This was one of the frustrations that fostered minority support of the decentralization law. Since decentralization, the

proportion of poor, minority, extremely youthful, immigrant, and non-English speaking parents in the public school system has multiplied dramatically. Many districts have been virtually purged of parents with experience in negotiating a seat or hearing with professional or middle class decision makers. In most communities the educational and cultural gap between parents and school professionals has widened dramatically without compensating efforts by the schools or outside agencies to prepare either sector to take advantage of the other's talents and expertise. Moreover, a greatly increasing proportion of mothers work full time.

Our inquiry documents the absence of substantial efforts by any agency or institution within or outside the school system--except the schools and community districts noted above--to address the problem of orienting and empowering parents for the unfamiliar responsibilities of interacting with schools and teachers. The failure of the central system to work effectively with parents in school improvement programs where officials were ostensibly committed to giving parents participatory roles is notorious. Even school improvement projects managed by outside agencies more comfortable with local community action have been disappointing in this respect. According to one observer, this was because they failed to understand and provide for the special roles parents could play in such programs and for which their assistance was needed.

The decentralization law requires the establishment of parents associations in each school and mandates the provision to them of information about school performance. Similarly, central policy guarantees parents advisory rights in tenure and other decisions. However, where schools boards and other school agencies have resisted parent

participation, whether for self-interest or for other reasons, unprepared and unsupported parent groups were inevitably defeated. Neither law nor policy was sufficient to create a parent-school community when the balance of preparation and experience was so unequal and nothing was done to redress the imbalance.

The Role of the Community Superintendent

The role of the community superintendent is a critical if not the most critical one in the community school district system. In this regard decentralization may be said substantially to have realized its goals.

It is widely agreed that superintendents now are generally more oriented to their communities and schools than were district superintendents before decentralization. Under the old system, superintendents typically did not participate in the formulation of school policy, had limited contact with schools, and were often notorious for poor community relations. We were struck during our interviews with community superintendents by the depth and range of their knowledge of their local communities. Although some observers deplored the greater political role taken on by the community superintendent under decentralization, it was widely acknowledged that effective decision-making and action in public education is greatly dependent upon the superintendent's assumption of this role.

Nevertheless, political problems have thwarted the full realization of the law's intent. The performance of the community superintendent is directly affected by practices of the board to which he or she reports, and, in many cases, conflicts between local boards and superintendents have been severe. Community superintendents have extensive statutory powers, not always fully exercised. Political instability and the lack of

a sustained majority, compounded by local board frustration over the lack of a meaningful role and confusion about what that role is, have had an adverse effect on the ability of many superintendents to carry out their responsibilities. The fact that the decentralization law does not spell out the powers and responsibilities of the community superintendent has contributed to confusion over the appropriate board-superintendent relationship. In some instances, a lack of necessary authority on the part of the superintendent has prevented effective administration of the district schools.

Many of these problems can be seen in the chancellor-city board relationship as well, and are similar to criticisms directed at school boards nationwide. Although a few critics subscribe to recentralizing the appointing authority for local superintendents to redress political problems, many others with whom we spoke find that solution politically naive and likely to have a severely negative impact on the district successes we have cited. On balance, we believe that the emergence of the community superintendent is one of the major successes of the decentralized system.

The Community School Boards Election Process

It was generally agreed by those we interviewed that the community school board election process has contributed strongly to the politicization of the community school system and attendant educational failures.

During our study, the 1986 school board elections took place, illuminating the conditions which in large measure shape the composition and quality of the boards. The isolation in which the elections took place was perceived by many as contributing to the boards' increasing

domination by political and other special interests. While the local press paid some attention to the elections (mainly to recount allegations of corruption and job trading), they were generally ignored by the mass media, and voters did not know the issues or candidates.

While the voter turnout for community school board elections is no better or worse than for other cities in New York State which elect their school boards, voter participation in New York City has been further discouraged by the process utilized in local board elections. Many eligible voters stayed away from the polls because they were put off by preferential voting, the method of indicating choices in numerical order of preference by which a proportionally representative body is selected. It is a widespread belief that the present process of at-large proportional representation, combined with the schedule of elections in the spring and the inefficient conduct of elections, discourages good people from running, leads to the increased politicization of the schools, and allows special interest groups to determine election results. To many observers, proportional representation is almost impossible for the average citizen to comprehend, confusing and discouraging a substantial share of the potential electorate, especially those who are not directly related to the several interest groups. Even election inspectors do not understand how to vote and consequently give misinformation to voters on election day. At the polls, voters were subject to delays and incorrect information, and there were reports of illegal electioneering and tampering with ballot boxes.

These factors, which combine to keep voter turnout low and increase skepticism about the validity of the process, were not unique to this year's elections, and have helped place some boards in unhealthy

relationships with clubhouse, church, and/or union-backed candidates, undermining the legitimacy of local boards and frustrating the goal of broad community representation. Parent interests on many local boards have been supplanted by the concerns of funded, politically sophisticated special interest groups. In consequence an increasing portion of the electorate and the pool of potential community school board members do not perceive community boards as the place where their political energies should be spent.

These results have been compounded by the inability of parent associations to raise funds for training in policy formation and advocacy, due to their reduced constituency and the virtually nonexistent outside sources of funds for these purposes.

This bleak picture was not universal this year. In several districts where strong parent-citizen advocacy groups mounted vigorous education-based campaigns, voter turnout increased and fairly representative boards were elected. A number of Hispanic and black leaders, energized by national election registration efforts, turned increasingly sophisticated attention to the school board elections, with similar effect.

Nevertheless, it was observed repeatedly during our interviews and discussions that the proportional representation method of election, intended to ensure minority and parent representation, generally allowed special interest groups to dominate boards in a way that only a few highly organized parent and/or minority groups at the local level have been able to match. The exemption of candidates from campaign finance standards applicable to other school board elections and the eligibility of city school system employees and political officeholders to serve as local

board members compound this result. School employees and elected officials now hold more than one-quarter of local board seats, in some districts comprising a majority of the board.

On balance, despite a sense of frustration with the elections, there was little support for their abolition. Rather, it is widely believed that both the conduct of the elections and the flaws in the process are susceptible to reform measures that would reduce politicization and domination by special interest groups. Local school board elections are subject to the same forces that keep many away from school board elections state and nationwide, as well as from general elections and politics. Of more significance to most of those we interviewed was the opportunity for parents and the community to have a meaningful voice in the education of their children close to the school-site level. Elected school boards are still seen as the opportunity for such access in New York City.

Community School Boards: Constraints and Frustrations

Limitations on Authority

The decentralization law's overlapping of responsibility and diffusion of power are blamed for a general lack of accountability for school failures. Community school board members, parents, professional staff personnel, and others complained in our interviews that community school boards lacked adequate authority. Two concerns were emphasized: first, that local boards had insufficient power to enable them to shape educational programs; and, second, that they had insufficient responsibility to engage the interest of talented and dedicated people in serving on the boards.

In fact, the powers of community school boards over local educational programs are considerably constrained by law. The decentralization law for the most part grants the community school boards responsibility without authority and their powers on critical issues such as budget and collective bargaining are advisory only. Although ostensibly the responsible local "policymaking units," community school districts have found themselves subject to multiple layers of regulation which include mandates imposed by the state, budgetary constraints determined by the city, and policy set by the city board and the chancellor in collective bargaining and other matters. In addition to the power of the city board and chancellor to make citywide policies and seek and allocate budget funds, central authorities are vested with responsibility for support functions, including personnel processing, most maintenance and repairs, capital construction, collective bargaining negotiations, supplies, and administration of special state funds. Efficient local action often depends on prompt and effective performance of these functions. The reservation to central authorities of these various responsibilities is a significant limitation on the powers of community school boards which must depend upon the central governance structure to fulfill so many tasks.

Our review suggests that central inefficiency and competition with community school boards have so hampered local boards in the exercise of their existing powers as to obscure the question of whether they need additional authority under law.

The mixed allocation of powers envisioned by the law might work well if central and local authorities were at pains to develop and implement a

collaborative approach to sharing and reinforcing each other's authority. In fact, the opposite has been the case. The competition for power and resources between central authorities and the community school districts has been a persistent source of friction since passage of the decentralization law. The central board has consistently resisted turning programs or responsibilities over to the community boards, even where it was clear that the statute contemplated such local authority, including for example school lunches, minor repairs, and comprehensive high schools. In other areas, such as development of curriculum, it has competed with community districts, using funds that might otherwise be decentralized to support overlapping central operations. In this regard, implementation of the law has turned less on the powers given to the districts than the fact that no central functions were eliminated.

Nor have central authorities exercised a balanced approach in the use of their regulatory powers over community school districts. It was a common complaint in our interviews that districts have been subject to a proliferation of regulations, over and above the requirements of law or contract, that operate to constrain local flexibility and adaptation. Regulations prescribe detailed, uniform requirements for issues that have traditionally been a matter of local discretion, such as citywide determinations to close schools for "snow days" or sanctions imposed for student disciplinary infractions.

Performance of Support Functions by Central Authorities

Community school districts are disabled by law from engaging in capital construction, employment of custodians, major school repairs, independent purchase of supplies, collective bargaining negotiations, and direct receipt of special funds. Complaints of central mismanagement of

these and other support functions were among the most frequently cited problems in our interviews with community school district personnel and advocates, and were confirmed in one horror story after another. These complaints were also corroborated by PFA's drop-out prevention studies, which showed, for example, that central delays in processing contracts with community-based organizations prevented timely local program implementation.

Indeed, the problems are depressingly similar to those cited by the legislature in calling for city school reform in 1961 to address "irregularities in the school construction program," "serious hazards in school buildings due to inadequate maintenance and improper repairs," "instances of corruption among employees," and "staggering administrative complexities and needless red tape." We found that the delays, mistakes, and complexities reported confound community school boards in exercising their legal authority and blur the lines of accountability for program failures or successes.

The provision of educational supports presents special considerations. In general, the education support offices (such as curriculum and instruction, testing, student progress) have been engaged in developing and implementing their own agendas rather than facilitating the community school districts' implementation of local priorities. In so doing, they have overlooked the unique curriculum and program resources of a school system with 32 subdistricts and almost 700 schools that engages many of the nation's most creative educators. It was a frequent observation in our interviews that there are few if any educational innovations currently being practiced that are not already flourishing somewhere in New York City. Yet central authorities neglect the

opportunity presented to use the diversity of information and experience available from many districts to support and generate new programs. Rarely do they gather ideas and models from the districts and make them available to others in the system, and it is agreed that exchange of ideas and experience among districts, which cannot take place without organization, is virtually nonexistent. Although the understanding that the chancellor would sponsor and disseminate new ideas throughout the system is both implicit and explicit in the decentralization law, too often these powers have instead been employed to introduce inflexible citywide prescriptions.

Technical Assistance and Training

Compounding the failure in these mandatory support areas is the lack of central commitment to providing affirmative assistance to local boards. In the planning stages of decentralization, it was assumed that the new system would need gearing up. Unfortunately, provision for an independent transition mechanism to manage the process of decentralization was not incorporated into the final legislation. The interim board charged with the responsibility for transition kept the newly created office of chancellor vacant for more than one year (from May 1969 to September 1970), filling the post only with "acting" personnel. As a result, the board tended to assume administrative and professional functions in accordance with its own views of the decentralization law, consequently becoming overburdened and less able to accomplish its important transition functions.

At the same time, the interim board requested and received legislative change so that the responsibility of training community school board members granted to the chancellor under the original 1969 law was

transferred to the board. Training sessions and materials for the new community school boards were kept to a minimum. The training provided to district personnel in their new responsibilities was also less than adequate. For most community school board functions, little or no technical assistance was provided by central officials to district personnel. The interim board then refused to transfer functions given by law to the local boards partly on the ground that the districts lacked the requisite capability.

It wasn't until 1973 that Chancellor Harvey Scribner, upon the recommendation of the Economic Development Council, established the office of community school district affairs to help train community school boards in professional and community interaction. Under succeeding administrations, however, funding for this office was systematically reduced and the level of training declined.

The decentralization law gives the chancellor the responsibility for providing technical assistance to the community school districts. However, central assistance for the community school boards has largely been limited to chancellor-initiated citywide programs such as promotional gates, drop-out prevention, and all-day kindergarten. Even in such cases, it has often been provided only grudgingly, on a limited basis, and without the prior consultation necessary to accommodate the needs of individual districts.

Lack of Consultation

Community superintendents, community school board members, teachers, and parents agreed that central decisions in all areas of local concern invariably are made without prior consultation, on short notice, and without regard to local sensitivities. One effect is to exacerbate

antagonism to controversial initiatives that might otherwise be accepted or accommodated, as, for example, the effort to move ninth grade to the high schools and the admission into classes of children with AIDS. Another is to impede the implementation of program and policy directives for which there has been too little planning. Thus, space, facility, staff development, and recruitment issues have presented recurring problems in centrally initiated programs such as drop-out prevention, all-day kindergarten, and special education decentralization. Failure of central authorities to consult with people in the field is also cited by community and school-based observers as a waste of resources available to inform and enhance both the central policymaking process and school innovation and improvement at the local level.

Although city board members meet regularly with a formally established "consultative council" of community school boards, the communication is generally one way: this body is not considered to be truly consultative nor to exert influence in shaping central initiatives. Nor has the New York City School Boards Association been able to exercise leadership in this area. In the area of collective bargaining, where consultation is legally mandated, the "negotiating council" established and utilized by Chancellor Harvey Scribner is moribund. Communication has been increasingly desultory over the years, holding the community school boards to the text of their solely advisory power.

The most influential interventions in central policymaking appear to have come by and large through litigation, independently funded advocacy, and, above all, from the governmental officials with budgetary powers and the major professional unions. Understandably, the central initiatives in

budget, program, and collective bargaining influenced by these forces are perceived locally as countermanding community authority. Only rarely do they result in policies or practices that provide for local option.

Fiscal Dependency and Budgetary Restrictions

The budget process in particular has occasioned persistent incursions on local authority. Contrary to the intent of the decentralization law, central retention of funds has prevented districts from exercising their independent statutory responsibilities. In addition, the efforts of community school boards have been constrained by the allocation of funds based upon centrally imposed conditions and categorical funding for special programs.

Under the decentralization law, community school district budget requests are subject to successive review and modifications by the chancellor, city board, mayor, board of estimate, and city council. Although under law the expense budget is theoretically appropriated in "units" authorized for purposes defined by the community school boards themselves, the limited funds available for discretionary use after payment of basic teacher salaries are typically a product of political negotiations among these various agencies, all of which have different constituencies and differing conceptions about how the funds should be used.

In the early years of decentralization, aggressive local boards and community advocates prevailed against the inclination of city board members, legislators, and administration officials to place formal or informal constraints on the use of such monies. In later years, following the city's fiscal crisis in the mid-1970's, concerns for better management of the city's revenue flow and expanded policy objectives led the chancellor and city administrations to prescribe and more closely monitor

the use of shrinking educational resources. The institution of budget procedures improved previously inadequate controls. In a practice of somewhat doubtful legality, the chancellor began to earmark portions of the appropriation of community school boards' units upon the acceptance of centrally imposed conditions and/or for special purposes. Municipal officials were encouraged to appropriate more and more of the education budget with the stricture that it be used by local districts for particular purposes. This practice of categorical funding went unchallenged and was indeed supported by many advocates.

Categorical funding theoretically establishes a higher degree of accountability to the city for how monies are spent. If one approves the purposes, it can be seen as an invaluable instrument of education reform. Salutory uses in the city have included support for the remedial component of a citywide promotional policy, all-day kindergarten, drop-out prevention programs, and class-size reductions. The state has used the same approach in designating school aid for staff development, vocational education, and a major drop-out prevention initiative concentrated largely in New York City.

The widespread use of categorical funding nevertheless raises several questions as to effective educational practice and program implementation in the schools. Centrally imposed mandates with appeal to elected officials do not always translate into educationally sound practices at the school and classroom level. Although legislators for the most part have been sympathetic to the needs of individual districts and schools, e.g., allowing additional staff to substitute for required class-size reductions in overcrowded facilities, many we interviewed thought that categorical funding has generally operated to constrain

innovation and adaptation at the school and district level.

Everything that takes place in the city schools is driven by funding. Especially since the fiscal crisis, the fiscal dependency of the entire school system has forced more and more sacrifice of community board autonomy. With budgetary and program flexibility so drastically reduced, there is less and less accountability at the local level for the way resources are allocated.

Personnel Restrictions

In the area of personnel policy, it is somewhat more difficult to disentangle the constraints imposed by law, those imposed by contract, and those which are a function of implementation and policy. First, there is a unique system prescribed by state legislation for New York City, under which a local board of examiners administers a civil service examination system for teachers and supervisors required nowhere else in the state. Candidates for appointment must all pass city tests, and teachers in most districts must be hired from ranked lists. This system restricts recruitment and is further complicated by other cumbersome central processing restrictions which delay and frustrate local administrators and discourage potential applicants.

Second, community school boards are subject to a myriad of restrictions in their staffing patterns and assignment under citywide collective bargaining agreements, negotiated by the chancellor with only token consultation with the community school boards. Both collective bargaining agreements and state law require that when teacher layoffs become necessary, districts must take excessed personnel from other districts in strict order of seniority. Although community school boards have considerable hiring and firing responsibility, these many layers of

authority and regulation act to constrain choices and thus reduce accountability at the local level.

The licensing and other personnel gatekeeping functions of the board of examiners were almost universally characterized as among the greatest obstacles to full and effective exercise of local personnel powers. Despite repeated calls for its abolition over a thirty-five year period, the board continues to apply a byzantine set of requirements to license candidates under a system that one observer characterized as "akin to fraternity hazing." Elaborate and interminably slow, the process jeopardizes legitimate recruitment efforts. The local character of the examinations particularly inhibits recruitment of non-New Yorkers, contributing to the parochial, bureaucratic character of the professional service. At the same time, the requirement that individuals seeking jobs in the community school districts go through a notoriously burdensome citywide application process discourages recruitment at the local level. Recently, the state for the first time has established certifying examinations for all education professionals including New York City personnel, making the examiners' testing functions redundant.

There are those who nevertheless view the examiners as a necessary evil, their licensing authority a check on patronage and other personnel abuses by the community school boards. Not surprisingly, this view is more often espoused by those who are products of the examination system, especially those older professionals who prior to decentralization ascended through the centrally run system in this "traditional" manner.

However, this position is flawed in two significant respects. First, patronage and ethnic politics are not unique to the community boards. They are also common although less visible in central board

operations, especially in the high schools and special education programs, where most appointments are made by the chancellor (or central officials) not in public meeting. It was noted by many of those with whom we spoke that the central appointment process was at least as politicized as in the community school districts. This is not a new phenomenon. Central appointing authorities prior to decentralization did not pick the most qualified professional staff. In fact, the most commonly cited evidence of the deficiency of the pre-decentralization school system was its willingness to tolerate incompetent staff, both principals and teachers. To many, the pervasive politicization, continued in the centralized bureaucracy and replicated to some extent in the community school districts, is simply a diffused and more complex version of the former board of education "old-boy" network that helped favorites through the qualification and examination system without altering the balance between qualified and unqualified personnel.

Second, although such personnel abuses are to be deplored and addressed, in fact the examiners do not perform the prophylactic function they are presumed to perform. For the most part such allegations and disputes that have arisen have been brought about by the selection of professional staff who in fact had been licensed by the examiners, and have centered on issues other than technical professional qualifications, such as discrimination and patronage. There are laws and procedures to ensure that selection procedures are fair, and it was generally agreed that they would be more effective if compliance were more closely monitored by the chancellor.

The single factor that helped most to increase the hiring of nontraditional personnel for supervisory positions was court action in

Chance-Mercado v. Board of Examiners, which by enjoining the city licensing examinations acted to increase public expectations of hiring practices and personnel that could be satisfied by local appointing authorities in legitimate ways. For almost a decade, the supervisory selection procedures and on-the-job evaluations authorized under Chance worked in tandem with the decentralization law to significantly increase the representation of blacks, Hispanics, and women in supervisory positions throughout the city.

Ultimately, the most significant restrictions in the personnel arena may be those imposed by rules on assignment, transfer, hearing rights, tenure, and working conditions contained in collective bargaining agreements and state law. Central and union control over many of the provisions which are contained in union contracts was preserved by the decentralization law's collective bargaining provisions. As we have seen, the contract provisions are believed by many people to have been unduly insulated from modification by the failure to take seriously community school board consultation rights. For the most part, central negotiators have not taken advantage of community and local professional insight in developing management positions, and there has been little attempt to negotiate diverse working conditions that accommodate local need and preference. Creative community school district leaders as well as local school officials have worked out ad hoc arrangements with local union officials adapting work rules to mutually agreed purposes. For example, some districts and schools use nonteaching "prep" periods for collegial school planning or staff development. The fact that other schools and districts find the same rules intractable highlights the sense of lost opportunity in central officials' failure to use both their own collective

bargaining power and the community school districts' consultative authority to negotiate or facilitate local options.

Disparities Among Districts

Under the decentralization law, community school districts were to contain no less than 20,000 (later amended to 15,000) pupils. District boundaries were to be determined by various factors including school utilization patterns, economies of scale, convenience of location for student attendance, heterogeneity of the pupil population, and relationship to city government service areas.

Since the initial determination of district boundaries, however, variations in student population have resulted in enormous disparities in resources among local districts. The striking contrasts which exist among districts in student population and facilities are compounded by the variation among local boards in the effective exercise of their existing powers. In some cases, ethnically mixed districts have been unable to achieve political stability, while in other smaller and more homogeneous districts there appears too great a focus on parochial concerns. All of these factors have a direct effect on the education of the students.

Although the city board is empowered to change district boundaries, it has never done so nor has it been encouraged to do so by community groups or advocates. After seventeen years, the districts have assumed individual identities and governing styles and some have established a consensus that fosters effective education. Many of those with whom we spoke argued that it would be a mistake to disrupt established working relationships and shared assumptions about educational practice just to conform to numerical requirements in the law.

The arguments for retaining district lines do not dispel concerns

about resource allocation among local community school districts. The reluctance or inability of central authorities to grapple with problems of overcrowding and resources among local districts emerged as a frequent source of frustration for community school boards. The city board and the chancellor have significant powers, rarely exercised, to reduce disparities. In response to legislative mandate, the city board has recently completed a study of demographics and district lines which affirms the need to rectify resource disparities among districts while suggesting that redistricting may not be an effective approach.

High Schools and Special Education Since Decentralization

The decentralization law reserved to the chancellor the direct operation and control of high schools and special education. In each case, the operations evolved in ways neither anticipated nor intended by the law. Although the original law provided for the transfer of comprehensive high schools to community school board jurisdiction, the city board never acted to decentralize a single high school. Ironically, implementation of the decentralization law initially effected recentralization of high school administration, which had been under the jurisdiction of district superintendents since a 1965 reorganization. It was not until 1978 that field superintendents were again established for the high schools.

Similarly, in special education, drafters of a law enacted when special education programs involved such a small number of students that arguably they would be more efficiently administered on a central basis failed to anticipate the enormous growth over the next decade of programs

for the handicapped. Thereafter, despite the commonly acknowledged need to incorporate instruction and services for students into the governance structures of schools in which the programs were placed, the city board (supported in part by advocates) continued to resist transfer of even administrative jurisdiction to the community school boards. The current city board move to administrative decentralization was spurred only by the intervention of a mayoral commission report.

Accomplishments and Disappointments

In the centrally run high schools, many examples of successful schools and programs may be cited. Innovative career and academic programs have been developed in many high schools; alternative high schools have shown success in motivating students in nontraditional settings, and useful linkages have been established with a number of corporations and universities. A strong effort is presently underway to address the drop-out problem with comprehensive programs of remediation and social service, and recent efforts have been undertaken to create a more equitable admissions system in order to grant a broader range of students the opportunity to be admitted to selected schools and programs.

In special education, too, there have been enormous strides in expediting the evaluation and placement of children with special needs, the school system has introduced programs for the learning disabled, and a huge population has been provided with some degree of special service.

Again, however, the successes are limited in scope and character. It seemed to some who commented on the role of governance in school performance that the failures in centrally operated programs were even more pervasive than those of community school board-operated programs. At

the high school level, the success of specialized and innovative programs has failed to make a significant impact on the operation of the traditional high schools. The common perception is that specialized schools and programs are serving a select and unrepresentative population. Academic and vocational programs are sorely inadequate to meet the needs of an increased population of handicapped and non-English speaking students. The zoned high schools, which remain the only option for the overwhelming majority of students, have in many cases such disproportionately high concentrations of students at risk of dropping out and failure as to virtually preclude successful educational programs. And the fact remains that 35% of the students who enter high school are dropping out, and a vastly larger percentage of minority students are doing so.

Similarly, the advances in special education were felt by many to pale in comparison with the failures of the system to provide high quality education in the least restrictive environment for more than a fraction of the more than 100,000 children involved.

Implications of Central Government

In the general management of high schools, the executive directors and central and regional staffs for the most part have acted autonomously, with the entrenched bureaucracy standing guard against policy change and without the responsiveness afforded by public discussion of either program or policy. In special education, federal legislative mandates and persistent pressure group advocacy and litigation, particularly in Jose P. v. Ambach, have forced reluctant and still only partial reform. The city board and chancellor, ostensibly charged with direct jurisdiction for

these instructional operations, are shielded from responsibility in part due to the multiple layers of supervisory authority between them and the schools. A number of those with whom we spoke expressed the belief that no chancellor appointed under the decentralization law has succeeded in giving coherent policy direction to either centrally operated system.

It appeared that the chancellor's administration of the high schools and special education programs has also suffered from many of the same problems as in the administration of schools at the elementary and intermediate levels. Analogizing the high school and special education systems each to a single community district, we found comparable deficiencies in a number of areas, including inequities in distribution of resources among schools, lack of an underlying commitment to excellence or equal opportunity for all students, politicization of the appointment process, and failure to involve parents and take advantage of community resources. A number of those with whom we spoke believed these factors to be directly implicated in the widespread failures in these systems. Observers agreed that the persistence of inequities and abuses are compounded by the absence of a meaningful public forum in which concerns and complaints may be aired. Both systems have also suffered from weaknesses in the central business and support functions and the impediments to staff recruitment posed by the cumbersome local examination system.

Remarkably, the centrally operated programs have also suffered from intra-system competition with the central support units. This was epitomized in the high school division's lack of authority over budget and implementation of some programs directly affecting its schools and students, such as drop-out prevention and school-site planning.

Central programs suffer from the additional problem of failure to interact effectively with community school board programs. In the case of high schools, this has impeded sound placement advice, planning for remedial education and drop-out prevention in the high schools and middle school years, and coordinated development by high school and middle school personnel of appropriate preparation for high schools. The central administration of special education programs located in elementary and intermediate school buildings has produced animosity among professionals, deterred mainstreaming, and in some cases encouraged overreferrals to self-contained programs by school districts which wanted to rid themselves of youngsters they found difficult to teach.

Chapter Two

CITYWIDE FUNCTIONS AND THEIR IMPLICATIONS

The Functions of the City Board and Chancellor

Although clouded by ambiguities of draftsmanship, the central governance structure intended by the decentralization law is apparent from the explicit allocation of functions to the chancellor and the more general assignment of functions to the city board.

The law views the city board as the overall policymaking authority for the city district as a whole. The chancellor is empowered by law to act as chief executive and administrative officer of the city school district. The broad executive powers of the office include powers granted to boards of education in other large cities of the state. Subject to the city board's policies, the chancellor is empowered to promulgate such rules and regulations as he may determine to be necessary or convenient to accomplish the purposes of the decentralization law, to enforce all applicable laws, policies, regulations, and agreements throughout the city district, and to issue and enforce orders requiring community school boards to comply with such requirements. The chancellor is expressly granted the power and duty to promulgate minimum citywide educational standards and curriculum requirements, and to examine and to evaluate the educational effectiveness of all schools and programs throughout the city district in a manner consistent with city board policies.

In addition, as already discussed, the chancellor has direct operational responsibility, including the power of appointment of

personnel, for high schools and special education, and for a range of support functions for the entire system. The latter include building maintenance, food services, student transportation, school safety, health services, and various personnel and business functions which together afford control over approximately 5000 administrative employees as well as an unknown number of teachers and supervisors assigned to these central operations.

The legislative scheme that emerges from these various provisions is of a strong central administration responsible for oversight and support of the city school district. Most of those with whom we spoke approved of this design. Most advocated a strong policymaking role for the central authorities, and few believed this to be incompatible with local educational discretion. Even those who expressed concern about community school board autonomy recognized that there were issues on which consistency across district lines might be important. Others stressed the values-shaping role of leadership, which provides consistency of purpose throughout the system. Ultimately accountable for the whole system's performance, the central authority is empowered through the technical and leadership roles of a strong executive. This executive in turn is accountable to the public through his responsibilities to a board appointed by the mayor and presidents of the five boroughs.

Unfortunately, the basic soundness of the statutory design is not borne out in experience. The city board has failed to take responsibility for key educational issues facing the schools throughout the city and has only recently attempted to formulate goals for the system. Instead, it has been concerned with parochial political issues and persistent overregulation. Although each of the men who have served as chancellor

since passage of the decentralization law has exercised his powers to a different extent, and with varying intent and effect, even the most able and/or powerful of chancellors has seen his efforts diffused by unrelenting board attention to inappropriate or unimportant issues. This has diverted both the chancellor and the board from effective performance of their most important functions.

Oversight and Intervention

Our investigations revealed a lack of forceful exercise by central authorities of their power to serve as the ultimate guarantor of education in the city. The indignation we heard voiced by parents and local professionals at the educational failures of some community districts was accompanied by equal frustration at the lack of intervention by any overriding authority. Similarly, despite interjection by central officials into line responsibilities of high schools and the close monitoring of special education required by Jose P., it also appeared that--as in the case of local programs--no authority was standing guard against the contingency of failure. No one we interviewed believed that local autonomy should override the duty of the chancellor and city board to set and enforce minimum educational standards for the city school system.

The decentralization law clearly defines the central responsibility to prescribe and enforce rules and standards and affords the chancellor extensive enforcement powers to intervene in cases of failure to meet established standards or noncompliance with law or regulations. A complaint that these powers have not been exercised is completely consistent with numerous complaints that overregulation and control have constrained adaptation and innovation at the school and district levels.

Where the exercise of authority has been lacking is not in the promulgation of regulations but in the prescription of standards of educational performance, and in monitoring compliance and calling officials to account.

Until recently, except for promotional policies at grades 4 and 7, there were no citywide student performance or attendance standards. Chancellor Nathan Quinones has recently acted to rectify this situation by promulgating criterion-referenced measures of adequate performance, and a broad-based commission on minimum standards is now developing progress standards for all schools. To date, however, the statutory mechanisms that already exist to identify and call attention to problems of the school system--including school inspections, school and program evaluations, and periodic reporting requirements imposed on community boards by law--have not been employed on a systematic basis. Nor has information that has been collected generally been utilized for long-range planning and policy and program development.

The central authorities' failure to enforce binding legal requirements was widely cited. It is important to note in this connection that the city board is the responsible local education agency in connection with alleged violations by community school boards; the chancellor is expressly charged with responsibility for the enforcement of all applicable laws and regulations. Thus, the central authorities cannot be absolved of the local enforcement function. That they have failed to perform it was evidenced recently by reports of widespread and gross violation of court orders requiring bilingual education for non-English-speaking students.

Where central authorities do intervene to redress local inequities

or abuses, it is usually where driven by political pressure, threatened cutoff of government funds, or litigation. More often than not intervention comes in situations which are extreme or idiosyncratic. Thus, recent examples of aggressive central intervention in response to allegations of patronage and misuse of funds occurred only after insistent public pressure and legal action. In less dramatic cases of educational failure or patronage, central authorities have generally failed to intervene at all. Furthermore, interventions short of supersession or suspension are seldom used, despite the authority to provide technical assistance or corrective measures.

The failure of central authorities to intervene is nowhere more obvious than in their reluctance or inability to take action concerning the problems created by the disparities in size and resources among districts. The city board and the chancellor have the statutory power to reduce disparities and to effect efficient utilization of buildings and zoning adjustments. Yet in many cases, central authorities have been unable to mediate successfully in local disputes or to equitably allocate resources to relieve overcrowding in local districts.

Those we interviewed expressed serious concern that despite continuing overregulation in the area of personnel, patronage abuses are not systematically monitored and are only rarely the subject of central intervention. The chancellor has extensive powers to promulgate minimum qualifications for all teaching and supervisory service personnel (not less than state certification requirements), to assign personnel among districts for purposes of meeting integration requirements imposed by federal law, and to ensure compliance by community school boards with state and city credentialing and selection policies. These powers have

been used to take action in various personnel matters within community school districts, and would appear to be sufficient to ensure integrity in the selection process. In practice, however, although personnel regulations proliferate, monitoring efforts have not been systematic, and intervention or enforcement has been random at best.

Some of those with whom we spoke offered the view that this is because patronage is no less persistent at the central levels where the same political forces play influential, although less visible, roles. It is often difficult to disentangle concerns expressed about issues such as patronage in local districts from predisposed views for or against decentralization. Political activity has always been intense with respect to supervisory and administrative jobs throughout the city school system, both before and since decentralization. Thus, even supporters of a citywide high school system expressed concern about the degree of politicization in high school appointments and the negative effect on school performance. Similarly, even those opponents of decentralizing special education, who justify their opposition on the ground that central authorities would not monitor the districts adequately, do not dispute the widely held view that comparable levels of patronage exist in the current centrally operated program.

In sum, we found that the exercise of regulatory power by central authorities, complained of as stifling local flexibility and innovation, has not produced systemwide compliance with standards of integrity or performance. It should be noted in this context that the state education department has not, as a rule, monitored the city's community school districts as it has other school districts in the state. The duties given the city board and chancellor in this regard have effectively absolved it

from this responsibility. The result is an absence of any authority acting as the ultimate guarantor of successful education for elementary and intermediate school children in New York City by stepping in where local authorities have failed.

Support and Interaction with Districts

As we have already noted, there is a need for improved management of central business and support functions, training and assistance to local authorities, and ongoing consultation with local districts. No issue generated more heat among those we interviewed than this one. Everyone agreed that all the centrally managed support functions were mismanaged in the extreme, and that any conceivable advantages of scale or equity gained through uniform ordering, fiscal control, personnel assignment, etc., were overridden by the inefficiency, incompetence, and disregard for local concerns that characterize these operations. The problems were ascribed in large part to the encrusted and entrenched character of the multiple bureaucracies controlling each function within the overall central bureaucracy and the apparent inability of central authorities to have gained any sustained control over their operation. In some offices, this simply perpetuates a tradition of bad management. However, it also reflects the lack of commitment to service of the community school district system, which central administrations have been unable or unmotivated to correct.

We have seen before the lack of commitment of central officials to the reforms embodied in the decentralization law in their refusal to provide assistance to local districts and their retention of programs for which districts were given independent statutory authority. In addition, although it was obviously necessary to review the scope and organization

of the existing central bureaucracy in the light of changes in functions, powers, and responsibilities under the new law, in fact there was little attempt to train central personnel in necessary supportive roles. A series of consultants' reports on various central support functions got short shrift from the administration. As far as central officials were concerned, the day after decentralization was in most respects identical to the day before. It seems a foregone result that eighteen years later, central staff members, having never been trained to perform functions more consistent with a decentralized structure, are widely perceived as serving the interests of those in the central bureaucracy to whom they report and unresponsive to the needs of the districts and the schools.

Mobilization of Public Support

When one thinks of public education leadership, rallying citizen support is the first thought that comes to mind. Boards of education are usually charged with enlisting public allegiance and taxpayer commitment to the schools and serving as the focus for political mobilization of professional and lay groups. In New York City, where the schools are fiscally dependent on the municipality, the board must seek funds from the mayor and city legislators rather than pursuing the taxpayer directly. Under this structure, public advocacy is even more crucial to ensure that education competes with other municipal concerns. Generally, the city boards appointed since decentralization have not been effective advocates in either forum. The most successful budget advocacy has come from Chancellor Frank Macchiarola, who used political backing and support from the mayor to successfully promote his educational agenda, and from Chancellor Anthony Alvarado during the inspiring early days of a chancellorship that initially captured the imagination of the public and

the teaching profession in a way no other administration has done.

In addition to budget advocacy, many of those we interviewed stressed the importance of outreach by central leadership to involve the entire public, including individuals, businesses, and social agencies, in direct support of the school system's educational mission. There was unanimity on the need to establish a commitment to meaningful collaboration with outsiders, long uncharacteristic of the school bureaucracy and only recently acknowledged by the central administration.

Structural Problems in Central Governance

The City Board Selection Process

The observations of our interview subjects on the way the central administration has functioned under decentralization suggest that its failures may be remedied by structural modifications designed to reorder central priorities. Looking first at the considerations that militate against effective leadership, our interviews portrayed a central administration substantially insulated from the public whose views it should inform and respond to. Generally, the city boards have been parochial, their members all too often preoccupied with narrow constituency interests and political and personal concerns.

Few doubt that this is a fault of the appointment system. Each of the seven city board members responds to the elected official who has appointed him or her, who may be the mayor or any one of the five borough presidents. Because this multiple selection system diffuses accountability for educational results, the considerations in making appointments have become political rather than educational. Thus as a

general rule, members have been named more for political, religious, and ethnic reasons than for ability or expertise, although recent efforts to obtain high caliber appointments have resulted in a more knowledgeable and experienced board than some of those in the past.

So appointed, the boards go on to act as might be expected of them, trading on behalf of their individual constituencies rather than shaping policy from a citywide perspective. The fragmentation of power, worsened by the annual selection of the board president, provides the public with six lines of accountability and no one to hold responsible for the performance of the schools.

These tendencies are reinforced by the law's limited mandates for communication with a broader or more representative education public. We have already mentioned the weakness of the law's provisions for consultation with community school boards as well as the city board's actual failure to consult with these elected representatives in matters of direct concern to them. It is no surprise that consultation with others in the education community, particularly parents, is rare and frequently after the fact. The bitterness which has characterized the current controversy over providing contraceptives to high school students is attributed to this unilateral style.

Overlapping Powers in the Central Governance Structure

It might be expected that the unitary character of the strong chancellorship would generate leadership from that office, and that has been the case to a degree. Unfortunately, the chancellor's capacity has been diminished by tormenting if not utterly defeating conflicts with the city board, compounded by the day-to-day interjection by the board into the chancellor's responsibilities. Patronage appointees to the city board

have been even more political than local boards in their obstruction of chancellor initiatives and their interference in personnel and other administrative issues.

The widespread conviction is that the method of selecting and compensating city board members encourages competition between the board and the chancellor. Many of those we interviewed identified this competition as a major factor contributing to the failures of the school system. It is also a common belief that part of the problem lies in the ambiguous and overlapping authorities granted by the law to the city board and the chancellor. In addition to its overall policymaking charge, the city board is empowered by law to get involved in administration. The amount of detail in which board members get involved is sanctioned to a large extent by their various powers and duties involving review of the chancellor's administrative and quasi-judicial decisions. The payment of per diems (limited only by the number of days in the year) and ample staffing encourage board members to make the most of such trivia. Despite the fact that the law vested in the chancellor many of the powers previously granted to the city board, the board continues to function clumsily as a management committee in addition to its enumerated statutory responsibilities. The result is that both board and chancellor neglect more important functions, while respectively challenging and defending administrative decisions.

Political Accountability of the Chancellor

The role of the chancellor is subject to diverse political pressures and diffused accountability. Although directly accountable to the board that selects him and to which he reports, the chancellor must also answer to the mayor, who plays a major role in the chancellor's selection and by

his support or opposition determines the chancellor's ultimate success or failure. Although it is the chancellor who generally frames the school system's budget and its negotiating strategy, the most important single influence on the budget is, in fact, the mayor. The budget that is finally adopted is ultimately the mayor's, prepared in accordance with his priorities by the city's budget director, with tinkering at the margins by the city council and board of estimate.

The fiscal dependency of the school system makes the chancellor, theoretically the critical political actor in the school system, particularly susceptible to mayoral influence; it has also given the mayor significant and unusually commanding influence over the city board in the chancellor's selection. However, the mayor's actual power is disguised by the appointment system, which on its face has the chancellor selected by the largely borough president-appointed board.

The mayor's role was acknowledged by everyone with whom we spoke. Some thought it should be changed, primarily by creating a more powerful independent city board to counterbalance the mayor's influence. Others thought the primary need was to clarify the mayor's existing control to make his accountability clear to the public.

Conflicting Functions of the Chancellor

Another factor which diffuses the chancellor's responsibility is his multifaceted functional role. Many of those with whom we spoke believed that the traditional functions of a school superintendent responsible for the direct operation, control, and funding of the city high schools and special education programs were inconsistent with the citywide standard-setting, enforcement, fund distribution, and other supervening functions of the chancellor's office.

This conflict within the chancellorship itself may be one of the most significant factors accounting for the central administration's failure to support and monitor the community school district system. Not only does it entail conflict between operating and supervising roles and between the allocation of funds and their retention; it assumes that an individual in a highly visible public leadership position will simultaneously seek distinction through performance of roles requiring quite different types of public image.

In sum, our inquiry suggested that deficiencies in practice were susceptible to reform of the central governance structure. Despite the current political shibboleth of blaming the community school boards and exonerating the central authorities, the clarification of central roles and responsibilities was seen by most observers as the essential first step toward making decentralization effective.

Chapter Three

THE NEED FOR REFORM

Our investigations have revealed deficiencies in the school governance structure which are directly implicated in a disappointing pattern of limited success and widespread failure throughout the city school system. We conclude that structural reforms are clearly required to remove present constraints and provide checks and balances on the performance of critical roles at the local and central levels. At all levels of the system, measures must be taken to promote the selection of leadership committed to a child-centered agenda and to encourage its adherence to such an agenda while in office. However, we also conclude that it is neither necessary nor appropriate to pursue these reforms by fundamental change in the basic design of a system affording elected community school boards direct plenary educational responsibility subject to the limited supervisory jurisdiction of central authority. After months of study and interviews, as well as extensive debate within the PFA board, we are convinced that locally elected school boards, elsewhere taken for granted, remain the preferred institution for operational control over the public schools in New York City.

It is clear that the city school system is too large and too complex to be administered as a single school district, without decentralized functions in some form. The perspective gained by measuring it against other school systems is striking: the New York City school system is larger than most state systems, and its community school districts are comparable in size to city and suburban school districts elsewhere.

Political decentralization has created a group of more than 280 local community leaders in the elected local board members who, for the most part, help bridge the gap between the public, the city administration, and the professional educators who administer the schools. Despite the extent to which local boards have been politicized, in an extraordinary way 32 local governments have developed that pay greater attention to local concerns than a centrally directed bureaucracy ever did or could. There are important societal values here, to which we subscribe. Observation affirms that community school districts have shown themselves to be more capable of generating and sustaining experiment, innovation, and commitment to educational agendas than the central agencies. From an educational standpoint, local schools in New York City are generally better connected to neighborhoods and communities and more attentive to the special circumstances of their pupils than in the past.

The argument against locally elected boards which gave us most concern was the claim that their politicization has operated to undercut their educational mission. In many districts we found support for this claim, and we believe that measures must be taken to address the problem of politicization. However, the history of the New York City public school system affirms that the solution to this problem is not in scrapping local boards or abolishing their election.

Decentralization and recentralization have been recurring phenomena in New York City, with the extremes of both leading to abuses. The local ward system which was abolished at the turn of the century was notorious for favoritism and other forms of corruption. At the other end of the spectrum, charges of inefficiency, corruption, and wrongdoing against the

city board and the centralized bureaucracy in the latter part of the 1950's gave impetus to a movement to reintroduce local control. Allegations of irregularities and corruption led to the replacement of successive boards of education in the 1960's, prior to the passage of the decentralization law in 1969. Neither centralization nor decentralization can provide the solution to the problem of politicization.

Recent proposals to substitute appointed for elected local boards may also be tested against experience. The city board members who became implicated in corruption years ago were all appointed, and the appointed city boards of the 1970's and 1980's were held by many to be as political as their locally elected counterparts. The advisory district boards that existed in the 1960's were almost wholly ineffectual at dealing with the problems facing the schools in their districts and unable to perform their role as a buffer between central headquarters and the community. Their selection by the city board (prior to 1962, by the borough presidents) was made with a concern for limiting activism, especially activism against central policies, and it was believed that only easily controlled appointees were considered. Local screening panels were constituted and operated in an exclusionary manner, often representing only a limited part of the local district, and patronage was believed to play a role in many appointments.

No structure is value free and no structure is perfect. Community school boards in New York City perform important social and educational functions. Nothing in either their history to date or the experience with alternatives warrants the tremendous organizational and educational upheaval that would be entailed in eliminating them or drastically curtailing their authority. The problem of control by other

than well-motivated members, a recurring problem in a democratic society and one facing school boards and other political bodies state and nationwide, cannot be remedied by substituting different mechanisms for selection which are susceptible to identical or similar abuses. Only serious efforts tailored toward eradicating specific abuses will work towards their elimination. We concluded that such measures must be instituted and instituted promptly, as a first step toward realizing the potential of an inherently sound educational governance structure.

We found the most significant failures since decentralization to be the way the central authorities have related to the community school districts and the way they have administered the high schools, special education programs, and business and support programs over which they have control. The pattern of competition between the central administration and local districts, as well as the competition between the central administration and the high schools, has undermined the educational and administrative effectiveness of community school boards and high school authorities without any redeeming benefits in terms of heightened accountability to the public and the students or greater efficiency in use of resources. Central policymaking authority has been used to meddle in programs rather than to catalyze initiative by others. Central authorities have not even promoted throughout the system community district programs that have had success. Nor have they brought about or inspired in local boards the kinds of relationships with parent constituencies and the larger community that are needed.

The observation that central authorities saw themselves no differently the day after than the day before decentralization was repeatedly borne out in our observations and interviews. The situation

was analogous to that which would prevail if a multimillion dollar corporation regionalized all its operating units under autonomous management without taking responsibility for leadership, monitoring, or support.

We concluded that a combination of the structural characteristics of the central governing authority and the habitual ways of doing things that continued after decentralization was responsible for the system's persistent malfunctioning. For governance reform to be effective, it must redefine central roles in order to get the central authorities out of operations and clearly focused on oversight, leadership, support, and assistance for schools.

In our vision of a more effective school system, local authorities must shape policy and implement programs that meet the needs of their students and command community support. In this task, they must be effectively monitored and assisted by central authorities. They must also be given the resources, as they presently are not, to define priorities, develop program alternatives, and compare the effects of those alternatives. The business and support functions conducted on a citywide basis must be performed on their behalf, fluently and well. The high schools and special education programs must be run on similar premises, with similar independence, oversight, and support.

First and foremost, the central authority must be able to generate and mobilize the support of its clients, the general public, and those centers of governmental power upon which the system's success depends. Power relationships are especially critical in the governance of public education, and it is the central authority which must serve as the focus for effective political mobilization.

Moreover, our investigation reveals the need for a strong central authority to perform oversight functions that the state education department cannot or will not perform in New York City. It should be analogous, as well, to the "federal presence" at the national level, which has guaranteed to all citizens that certain rights cannot be abrogated at local option. Structural reform must define a central leadership role that fosters local autonomy and institutionalizes relationships between central and local authorities which (1) engage local authorities in policy development, (2) support local authorities in implementing citywide and local initiatives, (3) ensure adherence to legal requirement and citywide standards, and (4) ensure equitable distribution of resources among and within districts.

Many people share our sense of the need for a strong central authority but advocate as the means of achieving that objective abolition of the city board and establishment of a single commissioner of education accountable to the mayor, perhaps supported by a lay advisory body. This structure is favored by many students of governmental administration as eliminating the destructive competition between city board and chancellor, affording the system's leadership direct access to the mayor and the city budget, and establishing unambiguous accountability for educational outcomes.

However, we believe these arguments are outweighed by the benefits of having a lay board with independent authority to check the power of both the school system's head and the mayor. Particularly in view of the narrowing constituency for education, there is a danger in giving sole educational authority to the mayor, whose office must respond to many other constituencies with interests far removed from or at cross-purposes

with the largely poor and minority clients of the schools. A board with the independence to contest the mayor's financial plans and otherwise exercise policy initiative is necessary to ensure that the interests of the education constituency are effectively promoted.

To perform its role effectively, however, the city board must be restructured so that it is not only committed to a child-centered agenda, but is efficient, visible, and politically effective. It must be removed from competition with the chancellor, motivated to encourage his leadership, and free to monitor his performance.

At the same time, the chancellor's responsibilities must be clarified so that he is made accountable for the critical functions of defining standards and assisting and monitoring the duties of local authorities.

Finally, reform must be directed toward the institutionalization of parent and community involvement and the broadening of participation in central and local policymaking at all levels of the educational process, to effect better representation of the pupil population and enhancement of educational efforts through school-community connections.

Chapter Four

NEW ROLES AND RELATIONSHIPS: RECOMMENDATIONS FOR CHANGE

1. Community school boards should be enabled to perform to the full extent the roles envisioned by law in the management of schools under their jurisdiction, through (a) full recognition of their existing powers and duties; (b) elimination of the board of examiners; (c) establishment of structures to ensure the recognition of their rights and their inclusion in central policy development; (d) central support and training; (e) reorientation of central staff to their functions in the decentralized school system; and (f) reduction in resource disparities among districts.

(a) Full recognition of existing community school board powers and duties.

- The chancellor should be mandated to honor and freely implement local boards' legal rights with reference to program responsibilities, and consultation on budget preparation, allocation of funds, and collective bargaining.
- Allocation formulas should be examined so that funds now retained by central operations for use in the community school districts may be allocated to the respective districts.

Discussion

The recognition of powers of community school boards serves two critical purposes. First, it will allow local boards to effect meaningful policy and program actions responsive to their determinations of local need, and to take responsibility for the results of their actions. Second, the sense that boards have satisfying and meaningful functions will operate to attract citizens of high caliber to serve.

In addition, local boards should be encouraged and funded to develop their own curricula and programs for students and staff, instead of having to compete with central authorities for funding for these purposes or having to comply with overly prescriptive regulations. The consultation

process should be honored and utilized as a valuable resource to inform and enhance both central and local action, as well as to generate public support for better school funding.

In collective bargaining, consultation should be used to explore the possibility of local variations in working conditions that permit the kind of innovation and diversity that gratify education professionals as well as education consumers.

- (b) The board of examiners' licensing authority should be eliminated.

Discussion

There is little reason to continue the board of examiners. By elimination of the examiners' cumbersome and unnecessary licensing procedures, local appointing authorities would be in a better position to utilize the advantages a large city school system can have in recruiting highly qualified and able personnel.

The examiners' sole purpose has been testing to ensure that job applicants are minimally qualified. The recent implementation of comprehensive state certification requirements and core battery testing make this role redundant. The limitations of any tests in identifying fully qualified people should be addressed by monitoring the performance of people once hired. Proposed state certification revisions would move in this direction by providing for performance-based evaluation as a condition to receipt of a permanent certificate.

The chancellor has extensive powers to monitor and ensure compliance with both personnel assignment and personnel selection procedures. These powers should be made the mainstay of a consistent program to monitor and take measures against abuse in the personnel process.

(c) Establishment of structures to ensure the recognition of community school board rights, and local board inclusion in central policy development.

- Local boards should be represented on citywide governance committees, to be convened by the city board to enlist parent, community, and professional involvement in policy development.
- Local boards should be represented on screening committees that select city board members.
- Local boards should be represented in the alternative structures proposed for the governance of the city's high schools.
- An association of community school board members should be established by law and staffed with public funds, to provide training and act as an advocacy arm of the local school boards.
- Local school boards should be encouraged to become members of the New York State School Boards Association.

Discussion

The mere exhortation that statutory powers be recognized cannot be expected to ensure such recognition when they have not been acknowledged in the past. Some of those we interviewed recommended giving the community school boards seats on the city board in order to ensure that central operations become responsive to districts and the schools. Although few subscribed to so radical a reform, many agreed that new structures of some kind are needed to give local boards more influence in central policy development.

To meet that goal, we propose community school board representation on city board governance committees (see recommendation 4), screening committees for city board member selection (see recommendation 6b), and alternative structures proposed for high school governance (see recommendation 3a).

Community school board members also need information about their duties and an effective citywide forum in which to express concerns, pool ideas, and join to advance district viewpoints. We believe an independent organization would be best able to encourage local board members to gain expertise in education and administration, to supplement the chancellor's training in board member roles, and to facilitate and focus networking, lobbying, and other collective efforts.

To provide a vital resource for this purpose we propose that an association of school board members be established by law and provided with public funds to employ a professional staff. The association would be charged both with providing training and acting as an advocacy arm for the local boards. Professional leadership would enhance its expertise, visibility, and clout.

At the same time, we propose that local boards be encouraged to become members of the New York State School Boards Association, to advance their interests on a statewide basis and to gain the expertise available from membership in that association.

(d) Central support and training.

- The chancellor should be required to conduct a systematic and comprehensive review of central business and support functions and publicize and implement detailed plans for their more efficient execution.
- The chancellor should be responsible for providing a full program of training to community school board members and technical assistance to the districts.

Discussion

In order for the community school boards to work effectively there must be consistent attention to their needs for efficient performance of

central support functions, as well as training and technical assistance.

We urge that support of the community school district system be considered a major role of the chancellor. The responsibilities entailed are presently included in the chancellor's duties under law, but there needs to be a common understanding that they are mandatory obligations on which the chancellor's success or failure will be assessed.

We believe the first step in streamlining central business and support functions is for the chancellor to conduct a managerial review of each function and any restructuring it suggests, including possible transfer of functions to the community school districts. We do not preclude the possibility of transferring some functions to the city. However, the chancellor's review should be informed by and consistent with the nature of the decentralized school system.

Funds should be appropriated for this review, and it should be clearly understood that the findings are to form the basis for new procedures and restructuring, including possible administrative decentralization of functions. The board should establish time frames for the studies and implementation of the findings, and set up a procedure for periodic evaluations.

We have already discussed our proposal for an independent association which could provide local boards with needed preparation to perform their functions. However, this should not relieve central authorities from responsibility to guarantee a minimum but much more substantial training than boards now receive, in order to ensure that local power is effectively and judiciously used. In particular, we recognize the necessity for training board members as to their roles and the role of the community superintendent, in order to ameliorate conflicts now too frequent in that relationship.

To that end, we propose that the chancellor's responsibility for such training be clarified. As part of the training program and in consultation with local boards, the chancellor should prepare an analysis of the roles and responsibilities of community school boards and community superintendents to be disseminated and used in training sessions. The chancellor should also be required to provide technical assistance for the entire system, not, as at present, on the impulse of the central bureaucracy, but, as needed, at the request of and in consultation with districts and schools.

Legislative restoration of the chancellor's training responsibilities (now vested by law in the city board) is appropriate. However, we believe the key issue to be, as with other support functions, acknowledgment of such training as an essential component of a primary central support role. The divestiture of the city board and chancellor's authority over high schools and special education programs, discussed in recommendations 3 and 5, should operate to clarify and focus central support responsibility to the community school district system.

- (e) The chancellor should be required to develop and implement a training program to reorient central staff members to the performance of their functions in a decentralized school system.

Discussion

A persistent complaint heard throughout our interviews concerned central officials who in the exercise of business and support functions are perceived as unresponsive to the needs of the schools. To address this, the chancellor should be required to develop and implement a comprehensive training program for reorienting central staff to assume roles more consistent with the decentralized structure.

(f) Reduction in resource disparities among districts.

- The resources of community school districts should be reviewed by the chancellor and the city board, and detailed plans published for equalizing physical facilities and student access to educational opportunity.
- The decentralization law should be amended to eliminate the requirement that each district must maintain a minimum of 15,000 pupils.

Discussion

A major deterrent for community districts is the lack of adequate resources to do the job. This is compounded by grave disparities in the allocation of existing resources among districts.

Changing demographics have caused severe overcrowding in some districts, and impelled some to urge that long deferred redistricting take place. However, district lines need not be the sole determinant of access to educational opportunity. Central authorities have failed to take sufficient and timely action to reduce disparities in facilities under different jurisdictions through equitable capital expenditures or administrative action.

We believe that the redrawing of boundaries or the restructuring of the districts on a borough-wide basis would be destructive of stability and confidence in the system. Change in boundaries would cause unnecessary upheaval in school administration and anguish to school constituents.

We are persuaded that present boundaries can be maintained, and that inevitable changes in population should be regularly compensated with adjusted resources. This should be handled initially by the chancellor, who should conduct a comprehensive citywide needs assessment and make recommendations for public discussion and approval by the city board. The

law authorizing the city board to delineate community school district boundaries should be amended to eliminate the requirement that each district must maintain a minimum of 15,000 pupils.

2. Community school board accountability and effectiveness should be fostered through (a) consistent and meaningful oversight by central authorities and (b) community school board election reform.

(a) The chancellor must use the powers of the office to ensure that community school boards both comply with law and that they meet standards of educational effectiveness.

Discussion

The allegations lodged against some community school boards of patronage and/or corruption are severely troubling. It is of equal concern that the boards have not been held accountable for consistent educational performance.

Despite the supervisory oversight role of the city board and chancellor clearly set forth in the decentralization law, their extensive and detailed monitoring and intervention powers have not been fully utilized to redress local failures.

The central oversight function must be supported first of all by a clear understanding of all concerned that this is a primary central responsibility. On the one hand, this understanding should inform the choice and mission of the city board and chancellor, as well as the budgetary decisions of the mayor and city legislators. On the other hand, local authorities should be put on notice that compliance with legal obligations will be monitored and enforced, and that instances of violation such as patronage and/or conflicts of interest on appointments and contracts will be diligently prosecuted. The central authorities should promulgate minimum educational standards and develop capacity and strategies to ensure that community school districts are assisted and held accountable to meet them.

Necessary monitoring and intervention calls for a central authority willing and able to hold operational units accountable, whether decentralized or centralized. Enforcement of law and standards demands not only an adequately staffed and funded monitoring capacity, but a commitment to use it, including the ability and willingness to reconcile conflicting pressures that arise in regard to city-negotiated contracts, state laws and federal regulations, and views about educational equity and excellence. Divesting the city board and chancellor of school operations (discussed in recommendations 3 and 5) is required so that they can effectively utilize their extensive powers to provide such oversight and enforcement.

(b) Community school board election reform.

- The present election system of proportional representation should be replaced by direct election of members from subdistricts.
- Simplified campaign finance rules should be made applicable to community school board elections.
- City school system employees and political officeholders should not be permitted to serve as community school board members.
- Permanent special units should be established within the board of elections and the board of education to conduct, monitor, and promote community school board elections.

Discussion

For reasons we have discussed before, we support the selection of community school board members by public election as the only method by which local needs will be served. However, we are persuaded that the method of proportional representation should be replaced by direct election of individual members by the voters of subdistricts.

On the plus side, proportional representation has brought onto the boards a representation of minority groups unparalleled in any other city or state elected office, and has ensured that people with minority viewpoints can be represented on boards they do not control. Some of those with whom we spoke, including PEA board members, reported personal experiences in which proportional representation contributed either to constituting excellent, diverse board majorities or tempering the voice of overbearing, controlling groups. They recommended its continuance.

On the minus side, however, there is a pervasive view in the city that at-large proportional representation voting and counting is confusing and discourages voting. The fact that it has allowed sophisticated special interest groups to dominate several boards has undermined the intention of its original advocates to provide a corrective to straight majority rule.

Weighing these arguments, a majority of the PEA board has concluded that proportional representation should be replaced by a single member subdistrict election system. Experience elsewhere suggests that such a system would realize proportional representation's best purposes and avoid its worst faults. Direct election of members from subdistricts would afford opportunity for representation to different communities within a district, and make it easier for underfunded, independent candidates to reach those eligible to vote for them. Subdistricting would give more legitimacy to the community school board election process and the board members it selected.

We propose that a commission be convened by the legislature to design this system. Membership should include representatives from the state

education department, city board of education, board of elections, community school districts, and parent and citizen groups, as well as other public officials at the city and state level.

Many proposals to increase the school board vote urge moving the elections from May to the general November election day; others have suggested the presidential primary election in the spring as a possible alternative. Proponents see either date as a chance to reduce expenses and increase the visibility and status of the election.

The main objection to moving community school board elections from May to November is the increased political entanglement this presumably would foster. A counterargument is that the local boards are already intensely involved in politics, and that isolation of their election from the public eye actually encourages abuses. Other commonly cited objections to moving the elections include the use of paper ballots and the separate class of parent voters in community school board elections who would be discouraged from participation in a general election process.

Perhaps the most compelling objection to November elections is that they are not appropriately timed for selection of candidates who should be on hand to serve for the pre-school period and school year spanning from July to June. Although moving the elections to the presidential primary date would address this concern, it would also lengthen the term of community school board members from three to four years. Many believe that four years is too long for local board members to serve.

The designation of a single spring date for school board elections throughout the state seemed to us a desirable reform. Statewide elections would increase visibility in much the same way as a general election date does and be appropriately timed for school-based elections statewide.

Mindful of the statewide implications of such a reform we recommend that this proposal be given further consideration by the legislature.

We also recommend that simplified campaign finance rules be made applicable to community school board elections. Community school board candidates are currently exempted from the reporting procedures applicable to other elections. Whether or not the application of those specific procedures are burdensome, we believe measures are needed to compel those who mount expensive campaigns to reveal who is paying for them. Moreover, campaign finance reform should incorporate provisions for disclosing the significant and crucial in-kind assistance that is now received by organization-backed candidates, including office space, telephone banks, clerical services, and other professional services.

It is equally important to prohibit holders of other elected offices, public and party, and any employees of the city school system from serving as community school board members. The potential for conflict is apparent in the perceived and actual ability of school personnel and elected officials to manipulate district policy by trading votes for decisions that benefit special interests. The impact of common citywide policies and personnel rules on all 32 community school districts in New York City is such that being employed in one district and serving as a school board member in another is not a barrier to such action.

Moreover, school employees and elected officials are already represented in a public education through the considerable influence on school policy of their unions, public positions, and parties. Their representation on boards actually tips the balance of power inappropriately.

The first obligation of local board members should be quality education in their respective communities. Although some school personnel have performed responsibly and helpfully as community school board members, many have put other interests first and their actions have cast doubt on the legitimacy of local authority. In order for a board to perform its primary policymaking role, its members must act as guardians of the rights of parents and students, and not themselves be part of the administration. The potential for and evidence of abuse of office outweighs the benefits to be gained.

Some of the worst and most vote-discouraging characteristics of the present election system are the inefficiencies of the boards of election and education in administering and monitoring current procedures. Like current election provisions, the new provisions we have recommended will be insufficient unless community school board elections are adequately publicized and monitored.

To address these deficiencies, we recommend the establishment in each board of an adequately funded permanent unit. The continuing attention such units would be able to give to planning and preparing for the elections and monitoring compliance with requirements could significantly reduce the lack of information, mismanagement, and abuses which have characterized the seven elections to date.

3. The centrally run instructional programs must be revitalized by (a) vesting responsibilities for the high schools in representative governance units independent of the city board and chancellor and (b) decentralizing special education programs.

(a) High Schools

- The high schools should be administered under jurisdiction independent of the chancellor but subject to his oversight.
- An interim governance committee should be convened to provide policy direction for the high schools.
- Community school boards should be empowered to create and operate high schools or high school programs within their districts.
- A study should be conducted to review and make proposals for reform of the high school governance system consistent with the goal of providing excellent and equitable high school education for all city youth.

Discussion

We believe the divestiture of the city board and chancellor's authority over the high schools, recommended elsewhere to clarify central oversight and support responsibilities to the community school district system, is necessary to improve the high schools. We have noted before that the decentralization law did not intend the central board's continued exclusive operation of the city's high schools. By clarifying the responsibility of the administrators of high schools to a representative constituency and freeing the chancellor to assume the role of support and oversight, both sectors would be better managed.

Divestiture of the chancellor's authority is intended to stimulate and aerate the high school bureaucracy by clarifying the responsibility of administrators for leadership and administration and establishing the chancellor's responsibility to hold that leadership accountable. It is

also intended to provide the connections with community constituencies which cannot be generated from a centralized bureaucracy. These connections are even more critical at the high school level, where school success so often depends on relationships with an expanding community of institutions and businesses to hold many students' interest in school.

A number of those we interviewed suggested decentralizing the high schools to community school boards as a way to accommodate these concerns. Mindful of the success of the few local experiments with high schools since decentralization, some urged as a further argument that vesting community school boards with the added responsibility of high schools would make the job of the local boards more challenging and worthwhile, thus encouraging more interest among responsible citizens in taking leadership roles on the boards.

We have given serious consideration to this transfer of responsibility to community school boards and find it impossible, at least at this time, to endorse the complete decentralization of high schools. We are particularly concerned lest a decentralized system sacrifice the citywide high school system's important role in providing many youths their first opportunity to move out of parochial neighborhoods and to experience the enlarged perspective on their future possibilities which a metropolitan school system is uniquely able to provide. Well functioning community school districts, adequately supported and monitored by the central authorities, might be expected to address this issue in the long run through collaborative arrangements for programming and zoning local schools, but the mechanisms for such collaboration are not yet in place.

With these considerations in mind, we propose a combination of immediate and long-term measures to begin to make the system more accountable, diversified, and responsive.

First, pending further study of the high school governance structure, a governance committee similar to those recommended for other functions (see recommendation 4) should be convened for the high schools. This broad-based body would be responsible for providing policy direction.

Second, the community school boards should be empowered to create and operate a limited number of new community high schools shaped to local interests and priorities. Community high schools should be limited in size to 500-1500 students, reflecting our belief that this new thrust should start in a modest fashion, and affording the opportunity to test the hypothesis that many, if not all, high schools should be much smaller than they are today.

Ideally, newly established community high schools would serve the local community population with space reserved for a prescribed percentage of citywide enrollment. The chancellor, divested of this conflicting position as operator of high schools, would be mandated to help by finding space in existing lower school or high school buildings in the districts,* or obtaining new buildings, and by providing technical assistance.

*In exchange, the districts involved that now have ninth grades might give them over to the high school department. In some cases this would free up existing space in which to have a new district high school. At the same time it would facilitate a consolidation of programs for older adolescents, advised by most education experts and endorsed by PEA's observations.

The chancellor should also facilitate collaborations with social service agencies and other resources for high school improvements. This includes the collaboration envisioned by the decentralization law's continuing authorization to the city board to contract with branches of the city university to administer not more than five schools. If this proves successful, the number could be legislatively increased.

Finally, the chancellor must be wholly divested of direct operating authority for the high schools. A special study should be immediately commenced to determine what political and administrative structure for high school governance will best foster execution of the high schools' complex educational and social responsibilities. This recommendation reflects our realization that the question of whether high schools should be governed locally, by boroughs, by a citywide organization, or outside the school system altogether--all suggestions made in the course of our deliberations--must be considered in the context of an in-depth analysis of current programmatic problems and options. The governance structure must be tailored to accommodate decisions about the numbers, types, sizes, standards, zoning, integration, and community connection strategies that can meet all the city's diverse educational needs.

- (b) Special education programs should be legislatively decentralized.

Discussion

Special education programs should be decentralized to the community school districts, except for those of such low incidence that they draw students from throughout the city. The latter should be continued under the jurisdiction of a superintendent appointed by the chancellor.

The detachment of the chancellor from operating responsibility for special education has already begun in steps taken to delegate to community school districts responsibility for instruction of most elementary and intermediate schoolchildren in these programs. Apart from its potential for clarifying the chancellor's oversight and support functions in the much neglected matter of the quality of special education, this initiative has important implications for the management of the programs. Pilot programs have indicated that districts and schools with direct responsibility for the students in special education programs take strong measures to improve their education and include them in the life of the school.

We are persuaded that this transfer of responsibilities should be continued, not through administrative delegation as at present, but through the statutory transfer of powers and responsibilities for special education programs from central authorities to local boards. A structure that clarifies the chancellor's oversight role could better guarantee that local boards not neglect their special education students. The chancellor should play a similar role in connection with the evaluation and placement processes, whether they too are decentralized (as we tentatively believe they should be, subject to a forthcoming study of this issue) or, as we suggest alternatively, vested in the superintendent for citywide special education programs.

4. The governance structure should foster broader community and parent participation at all levels of the school system, through (a) institutionalization of greater community and parent roles in the selection of school officials and (b) their increased involvement in educational policy determinations.

(a) Institutionalization of greater community and parent roles in the selection of school officials.

- City board members should be appointed on advice of a representative screening panel that includes community and parent representatives.
- Selection of the chancellor by the city board should be a public process with opportunity for discussion with candidates and input prior to selection.

Discussion

Particularly in light of the dwindling public school parent population, broadened participation is critical to garner support for the public schools. We believe that the institutionalization of a greater role for community and parents in selection of school officials at all levels is necessary both to achieve that goal and to help ensure the selection of qualified, high-caliber school officials.

The recommended community school board election reforms, including the exclusion of political officeholders and city board employees from eligibility to serve as local board members, should increase significantly parent and/or citizen representation. To further involve the community in the education process, we also recommend that community and parent representatives be included in the screening panel for the selection of city board members, as elaborated in recommendation 6 of this chapter.

The selection of the chancellor by the board should also be a public process. It should include structured opportunity for public discussion and recommendations of criteria and candidates at appropriate stages

preliminary to appointment. The boards of many cities nationwide incorporate such a process in selection of their schools' superintendent, and our recommendations to clarify and strengthen the chancellor's role and position warrant institution of such a process here.

Among other things the public consideration could be expected to generate wider interest in the position, enlisting applications from a more diverse group of candidates. Ultimately, it might even enable an outsider to overcome the city school bureaucracy's historic ability to confound and reject leadership from outside its circles. Moreover, we believe public involvement in the chancellor's selection would build public confidence in the chosen candidate, enhance his or her support within the system, and enhance his or her ability when in office to mobilize needed public and political support.

(b) Increased involvement of parents and community in educational policy determination.

- The city board should be required to convene committees to enlist parent and community, as well as community school board and professional, involvement in policy development.
- An annual allocation of funds should be provided to one or more associations of parent groups to support technical assistance and training in parent roles.

Discussion

We have already discussed the necessity for divestiture of high schools and special education programs to more representative local bodies, which would operate in part to help remedy the current lack of public and parent participation in their management. At the community school board level, we have proposed greater empowerment to allow elected board members to make and effect meaningful policy determinations.

By themselves, these reforms are not enough. As the policymaking body for the city system, the city board must act to include the public and other actors in the early stages of citywide policy formulation, taking advantage of expertise, deferring to community and parent priorities as appropriate, and keeping those who must implement programs informed well in advance.

To this end, we recommend that in carrying out its functions, the city board be required to convene committees, each chaired by a member of the board, to enlist parent, community, and professional involvement in policy development. (In line with the strengthened role we recommend for the chancellor, as described in recommendation 5, the chancellor too could chair one of these committees.) Focusing on the key issues mentioned in our interviews as requiring consultation, these committees would be concerned with educational policy, community school district affairs, funding and resource allocation, and business functions. A similar committee for high schools would also be instituted until such time as an alternative high school governance structure was implemented.

Each committee would include, in addition to its chair, community school board members, community superintendents, representatives of the high school structure or structures adopted, and parent and other public representatives. Members of the committee would be selected by organizations of their peers; public representatives could possibly be designated by the screening panel for selection of city board members (see recommendation 6). The committees would meet frequently to review policy and make recommendations in their respective areas of concern.

Parents and other community representatives must also be helped to play their roles as partners in the education of their own children,

participants in shaping the programs of their schools, and monitors of school and district performance. To help prepare them for these important functions, we propose that the law provide that the chancellor allocate annually sufficient funds to finance technical assistance and training, on the recommendation of a broad-based advisory committee, to one or more representative associations of parent groups.

These supports should not prelude a sustained effort to engage parents as partners in teaching their children or as helpers in the classroom. Nor should they reduce the schools' continued engagement of parents in classes on language and literacy, health, nutrition, and child rearing. Rather they signify the acknowledgment that parents are equal partners in their children's education and have a unique insight to share with professionals, but lack the means to do so.

Moreover, central and local authorities should facilitate parent involvement in school-site planning and program decisions. First and foremost, participation requires information. Current law contains a limited mandate to schools to make performance information available to parents associations. Central authorities should gather and make available a broader range of information, as well as evaluations of its own and other programs. Such information is important to help parents and school site planning teams compare the experience of their schools with that of comparable ones elsewhere, to discover and learn how to implement proven school improvement strategies, and to assess their school and district resources against those of others in the city.

Some of those with whom we spoke recommended that the law should codify and make systemwide a school-based management program that includes parents and professional staff in advisory, planning, and oversight

functions. Such legislation has been implemented in California, South Carolina, and Chicago, where parents are involved in developing school goals and evaluating annual progress in meeting them. We are concerned, however, that further codifying and prescribing school-site management procedures would have an opposite effect to that intended, by stifling rather than encouraging collaboration.

Recommendations for parent and professional participation in governing committees at the city board level, as well as more independently elected, better prepared community school boards, should work to foster school-site management. The current president of the city board has suggested a commission to study ways to increase school participation. We support such a study but we urge that it focus on support rather than mandates for participation.

5. The chancellor's primary responsibilities should be to provide central leadership for the system, hold local authorities accountable for meeting citywide standards, and ensure that business and support functions are carried out equitably and effectively. The chancellor must be motivated and enabled to perform these critical roles, through (a) divesting him of operating authority over high schools and special education programs, (b) making him a voting member of the city board, and (c) amending the state certification requirement for the chancellor to allow a wider choice of candidates.

- (a) The chancellor should be divested of operating authority for high schools and special education programs, in order to clarify and focus the central role of support and oversight.

Discussion

In our vision of a more effective city school system, the city board shapes overall policy and convenes the larger community of the city in support of the schools. The chancellor ensures that city board policies are converted into standards for which districts and schools can be held accountable, and that they are implemented by all units in the school system.

To revitalize the system, a strong chancellor should be mandated and empowered to lead the city board in sound policymaking; to facilitate, monitor, and enforce compliance by all schools with citywide policies and standards; and to perform efficiently the business, fiscal, personnel, and other support functions of his office. This formulation responds to our conclusions that two primary failings of the current system are lack of effective citywide leadership and dramatically inefficient performance of central business and support functions.

The leadership and support role we envision for the chancellor is a difficult and challenging one, which we believe to be essential if the city's public schools are to succeed. We are convinced that to perform this role the chancellor must be divested of the direct operational

authority for high schools and special education programs. We have seen that the structural framework vesting responsibility for school operations and the support and oversight functions in the same office diffuses the effective performance of both, and moreover puts the chancellor in an inherently conflicting position. We have recommended in our discussion of community school boards an administrative review of centralized business and support functions and an affirmative training obligation as functions of the chancellor. We have also recommended a strengthened monitoring and oversight role for the chancellor, consistent with his present statutory powers and responsibilities. We believe that divestiture of program operations is essential to focus and enable the chancellor's role in support and oversight, and to hold him publicly accountable for performance in these critical areas.

(b) The chancellor should be made a voting member of the city board.

Discussion

The ability of the chancellor to assume the role we envision is severely hampered by his being overburdened with board minutiae and politics. Many of those we interviewed agreed that the present structural relationship between the chancellor and the city board is crippling to the leadership efforts needed from central authorities, resulting in unproductive competition and tending to diffuse what authority both board and chancellor have.

The president of the board acted as the chief executive officer of the ward system that predominated in the last century. In 1917, the state legislature made the superintendent the chief executive officer, who

initially was only first among equals in a board of superintendents. Successive legislation since the beginning of the century has attempted to address the problem of central leadership by strengthening the superintendency. The creation of the office of the chancellor by the decentralization law continued this trend, recognizing the critical importance of the chancellor as both policymaker and actor in the larger political arena in which educational policy is made. Despite this substantial amplification of the more traditional administrative role of a superintendent (as mere "implementer" of policy), the allocation of policy powers between the city board and the chancellor was left ambiguous. Although the chancellor was expressly made a member of the board with the right to speak on all matters before it, he has no vote. We have seen little evidence that the present structure is capable of achieving the successful collaboration that is the ideal.

It is largely because of this debilitating competition and struggle for power that so many people advocate abolition of the city board. Others have recommended making the chancellor the president of the board and/or a voting member of the board.

PEA agrees that addressing this problem is essential to any structural reform designed to foster strong leadership at the central level. However, we concluded that the problem should not be addressed by abolishing the board nor by the alternative of making the chancellor its president. The former would deny the schools an important lay oversight and independent policymaking authority, while the latter might act to disempower the lay leadership of the board. Rather we propose the chancellor be expressly made a voting member of the board. This would recognize the chancellor's existing policymaking and political roles, operating to help reduce the conflict and distrust inherent in the

present structure while maintaining the board as an independently headed body. The chancellor would be able to exercise a stronger leadership role in setting the educational agenda and formulating goals and policies which he will have to implement, while the board would draw strength from the collaborative relationship and the chancellor's expertise. Both the policy-setting and administrative processes would be enhanced by this more unitary responsibility.

The current debate has also surfaced the fifteen-member board as a way to continue borough president appointment and still give the majority power to the mayor. We have already discussed our opposition to this method of appointment; however, we agree that a membership of seven to fifteen is reasonable for the board we envision. The implications of city board size were analyzed thoroughly in the outline of alternatives for a central education agency prepared by PEA in 1971. Small boards of three to five members were characterized as fostering involvement of members in all issues and encouraging individuals to amass power; large boards (of more than fifteen members), though most likely to be representative, were found unwieldly; moderate size boards of seven to fifteen members, although risking factionalism, had the advantage of allowing broader representation of interests and development of special expertise.

The chancellor's status as a voting member creates the possibility of a tie vote in matters where the chancellor would automatically abstain, such as the choice of the chancellor and matters relating to his or her employment such as terms of employment, evaluation, and contract renewal. Although extremely unlikely in a board appointed entirely by the mayor, the problem is easily solved by giving the mayor authority to cast a vote in the event of a tie. Notwithstanding the undesirability of having

critical policy determined by so narrow a margin as one vote, we see the mayor's intervention as the obvious one and welcome the increased accountability this would engender.

- (c) The state certification requirement for the chancellor should be amended.

Discussion

At present, the state commissioner of education exercises veto power over selection of a candidate lacking state supervisory certification. It is hard to believe that this is what the law intended. The legislature saw fit to invest in the chancellor not only primary managerial responsibility but extensive policymaking, rule-making, and enforcement powers not given to other school superintendents statewide. In fact, the structural design of these powers patterns those of the state commissioner of education.

At the same time, the state requires even the centrally run instructional programs to be administered by certified superintendents below the level of chancellor. Nevertheless, the city board is restricted in its search for a candidate to those having formal education credits and internship experience.

We are persuaded that these qualifications are too restrictive for the roles and responsibilities of the chancellor. The chancellor must have management, planning, budgetary, and leadership abilities to administer the enormous range of activities within the city's school system, as well as demonstrated knowledge and commitment to urban

education. Our recommendations to make the chancellor a voting member of the board and divest him of school operations should make current state certification requirements an even less essential criterion for the chancellor.

PEA believes that it is both necessary and appropriate for the state commissioner of education to continue to exercise review powers over the qualifications of the chancellor, both to ensure the integrity of the chancellor's selection as leader of the city's schools and to operate as a check on the power of the mayor to influence that selection. However, we propose that the state qualifications be expanded to permit the selection of persons with equivalent qualifications such as demonstrated managerial ability, sound educational background, or effective leadership in human services or related fields. This reform should allow the city board, acting in the public eye as we propose, to choose a leader dedicated and informed about public education without unduly restricting its choice.

6. The city board's primary responsibilities should be to select the chancellor, and, with him or her, to assess the educational needs of the city; develop goals, policies, and standards; and mobilize support of the school from legislators, community, business, human services agencies, and the general public. To motivate and enable the performance of these critical roles, the city board should be (a) part-time, unsalaried, but provided with reasonable expenses, an honorarium, and sufficient staff; (b) appointed by the mayor on advice of a screening panel, but with continued provision for geographical representation in its composition; (c) divested of direct jurisdiction for instructional operations and of administrative and adjudicative functions; and (d) required to issue an annual statement of goals and objectives and make an annual evaluation of the school system.

- (a) The city board should be a part-time, unsalaried body, but provided with reasonable expenses, an honorarium, and sufficient staff.

Discussion

City board membership should not be viewed as a profession or a full-time job. Experience in New York City has confirmed that if board members are paid for their time, they become part of the professional staff, duplicate and impede the chancellor's work, and no longer represent the public. Moreover, the provisions for compensating the board encourages people with limited qualifications to seek the office.

For that reason, we propose that the city board be an unsalaried, part-time body. However, we recognize that if the members devote part-time to public service they have to borrow that time from other careers. Thus, we propose an honorarium as partial compensation for income sacrificed. Additionally, we recommend reimbursement for itemized ordinary and necessary expenses capped at a level determined by analyses of recent schedules. Compensation thus established should be sufficient to carry out the responsibilities we envision for the board.

A common complaint about the board is that the availability of secretarial and other administrative staff encourages board members to use their position as a base for political power and to involve themselves in matters outside the legitimate interests of the board as a whole. In order to eliminate that possibility, some of those we interviewed recommended a limited, pooled staff of assistants and secretarial help, in addition to a board secretary.

However, we believe that sufficient staff is needed to help part-time board members participate knowledgeably in board duties and monitor the implementation of policy, too often watered down or subverted. In the absence of staff, boards are held hostage to their superintendents as the sole source of information and cannot bring informed, independent points of view to school issues and problems. It is not a weak or powerless board we are seeking, just one that efficiently performs its more focused role.

- (b) Board members should be appointed by the mayor on advice of a screening panel, with continued provision for geographical representation in the composition of the board.

Discussion

The mayor's control over the education budget gives him de facto control over the system. To ensure that the mayor is held accountable for educational success, we propose to vest in that office the sole appointing power for the members of the board. We also recommend that city board members be appointed by the mayor on the advice of a screening panel, the composition of which should be prescribed by state law. Legislative provision should also be made for geographical representation of the entire city in the board's composition.

In choosing this method of selecting the board, we considered the characteristics of the membership we deemed critical, the need for representativeness, and the need for accountability. The city board we envision must be composed of members confident enough of their own individual talents and authority to place those abilities at the disposal of a strong chancellor and in support of the community school boards. At the same time, their political independence should not be purchased at the price of isolation from political power.

We do not believe that the composition of the city board must or should necessarily be representative of the student population per se. However, structures for board member selection and subsequent performance in office should be designed to foster representativeness. The use of the recommended screening panel, as discussed below, along with the governance committees we have before recommended, will help achieve this goal. The provision for continued geographical representation should help alleviate fears of a Manhattan-based board.

Adherence to the concept of a representational board is tied to the view that such a board is best able to reconcile conflicting social and political interests in the determination of citywide policy. An alternative view of school governance contends that the board serves not to represent the community in the formulation of policy but to legitimate policy to the community.

In fact, the present city board does not generally fulfill the ideals of representativeness or responsiveness under either view, in theory or in practice. The present process of borough president appointment creates a situation where measures of advantage to a particular borough can be adopted only as a result of a deal acceptable to some or all of the

borough presidents, and it has also generally failed to produce appointed members of the stature necessary, for example, to exert more influence on behalf of the budget. Whether or not the present city board can establish a unified policy direction, the diversity of this group of appointing authorities shields each participant, including the mayor, from any real accountability for the board's actions.

A mayor who appoints all the members of the board will have an increased stake in how the system functions. Furthermore, it is the mayor who can provide the external political support that is the most powerful wedge into the bureaucracy. Therefore, it is the mayor who should have the authority to appoint the board and, through it, the chancellor.

We have considered other alternative selection models to the present system, including citywide election, partial appointment by the mayor, and selection in whole or in part by community school boards or other community representatives or elected city officials. However, we feel that all of these alternatives pose problems which render them undesirable.

Selection of the city board in a direct citywide election would not increase access for the poor and minority groups most affected by policy decisions affecting public education. Although single-member districts might alleviate this problem, there would have to be a very large number of seats, as in the present structure of the city council, to gain representativeness. We thus favor an appointed board, which on the whole is less vulnerable to external political pressures than a popularly elected one would be.

Certainly, reconstituting the city board to include representatives of the community school boards would help to ensure that local interests are asserted in citywide policymaking. Not surprisingly, numerous

suggestions along these lines came from members and former members of community school boards, whose general frustration and feeling of powerlessness were clear throughout our discussions with them. However, examination of the present fragmented structure persuades us that we do not want a different version of divided authority.

For the same reason, we cannot support the various proposals that seek an accommodation by having the mayor appoint a majority of the board members, with others appointed by the borough presidents or the community school boards. Although we recognize the checks and balances needed and inherent in those schemes, we think it more important that the mayor be accountable for all. In order that there be a necessary check on mayoral appointment power, we recommend a screening panel for selection of board members, composed of community school board representatives and civic and education groups prescribed by law.

The present mayor has already demonstrated the potential of his office for directing talent and power to the schools. Absent a screening panel, however, mayoral power is not only unchecked but ultimately diluted since the mayor's nominees are more likely to lack broad-based community experience and support.

It is our recommendation that along with mayoral appointment of all city board members, there should be a procedure to give a broad range of the city's civic groups a role in selecting nominees from whom the mayor would make his selection. This would permit a check on the mayor's exercise of his appointing power, in order to ensure high caliber appointments, representativeness, and limited partisan influence. The screening panel would be constituted by the state under law which would designate a variety of representative institutions including prominent

civic groups and universities as rotating members. The screening panel would also include as permanent members parent, community school board, union, and borough president and/or city council representatives. The designated groups would choose their own delegates to the panel.

The utilization of a screening panel would also give some political power to the groups represented on the selection board, and help alleviate the decline in influence of parent and other moderate groups which generally represent student interest. Community school board representation on the screening panel would lend needed clout to local boards in subsequent city board actions.

Under the process which we propose, there would be an appeal for nominations from the education community and the public at large, as well as the mayor. The panel would hold at least one public meeting at which nominations could be disclosed and discussed. Candidates would thus be considered openly rather than in the secrecy of political offices.

We believe the institution of a screening panel to be an important check on the inclination to use board membership for personal advancement or pragmatic purposes. As we noted before in connection with the selection of the chancellor, public participation in such a process creates both trust in the intent behind the appointment and an enhanced sense of responsibility on the part of the selectors for the performance of the person selected.

We acknowledge the concerns of those whose experience with the screening panel procedure used for city board appointments prior to decentralization make them skeptical of its value. Although often praised by educators as distinguished, some panel-selected boards were also naive and politically isolated; others had to be removed by the legislature.

However, we are persuaded that the political sophistication of civic groups has grown since the 1960's, and that the participation of parents, citizens, education professionals, and members of the city political community will result in more creditable and accountable choices.

- (c) Board members should be divested of administrative and adjudicative functions, as well as direct jurisdiction for high schools and special education programs.

Discussion

Almost everyone agrees that a lay board should make policy but not administer the schools. Setting policy for a school system with a budget approaching \$5 billion, almost a million pupils, and more than 100,000 employees is obviously demanding. The board must obtain funding from the mayor for functions which directly serve only a few, and establish policies that reconcile sometimes conflicting mandates for integration, due process, and equity and excellence for students and staff. However, the many administrative functions with which the board is now saddled keep it too busy to consider and determine issues of policy, let alone find out what is going on in central divisions or local districts and schools.

Archaic state education laws oblige all boards to tend to such trivia. Moreover, the city board's expanded sense of its responsibilities, including its intervention in administrative work, is further encouraged by ambiguity in the decentralization law as to the respective functions of the city board and the chancellor. Despite legislation which vested in the office of the chancellor many powers previously granted to the city board, the city board continues to function clumsily as a management committee, subverting the chancellor's operational authority and diffusing accountability.

We have already recommended that the central authorities be divested of direct jurisdiction over the high schools and special education, which will operate to relieve the board of many of its duties in regard to these operations, especially those regarding personnel actions. We have also recommended that the responsibility for training of local boards, currently the responsibility of the city board, be transferred to the chancellor. A clearly appropriate reform is to divest the city board of (and grant to the chancellor) all central "administrative" and "managerial" functions. The city board may do this by delegation, and in fact the current board has recently delegated to the chancellor approval of certain contracts, which constitute the bulk of the calendar for board meetings. However, particularly in view of the law's ambiguities, we would prefer to see these changes made explicit in statute.

In addition, we would divest the board of adjudicative responsibilities. The structure is a hodgepodge, with different lines of appeal established by law and policy for grievances, community school board actions, and student suspensions. It is confusing to appellants, the great majority of whom gain no further redress by appeal to the city board. At the same time, it has served to undermine the chancellor's authority in the exercise of his initiative and enforcement powers. The board's duties as an appellate body are time consuming, and in most cases insert a third or fourth level of agency appeal, unhelpful to appellants who are required to exhaust all administrative appeals. This redundancy was an unintentional byproduct of the effort in the decentralization law to assure a representational check on the chancellor's exercise of power over local boards, compounded by the reluctance of the state education commissioner to assume the same oversight role relative to the 32 New York

City districts as he has vis-a-vis other districts in the state. (This in turn has operated to reenforce the centralizing tendencies of both city board and chancellor.

In the light of experience, we think it better to rely on the board's general supervisory power over the chancellor it appoints and retains. All appeals within the city school system should properly be assigned to the chancellor as final agency arbiter, with a right of further appeal to the state commissioner of education. Appeal to the commissioner will also be available to aggrieved community school boards seeking review of the chancellor's initiative and enforcement actions in regard to local boards.

- (d) The city board should be required to issue an annual statement of goals and objectives and make an annual evaluation of the school system.

Discussion

An important function of the board should be to articulate goals in an annual statement aired before the public and used at year-end to evaluate the school system's performance, as well as the performance of the chancellor in monitoring and eliciting adherence to the goals by the various operating units of the school system.

7. In order to ensure that reforms are carried out, a transition commission independent of the board of education should be established by law to oversee the process of change and report to the legislature on its implementation.

Discussion

A major flaw in implementation of the decentralization law was lack of an independent transition structure to prepare a plan for proposed changes, establish a timetable, and ensure that changes were made as necessary.

Certainly, we have seen that the city board and the centralized bureaucracy will not divest themselves of their power readily, and can be expected to present major obstacles to change. Moreover, central authorities cannot be expected to direct the old system while ushering in a new one. We believe that an independent commission is necessary to manage the process of structural reform and ensure implementation of that reform.

SEPARATE STATEMENT OF DAVID S. SEELEY

This report contains much excellent analysis and many sensible recommendations for improving governance within the existing kind of public school system we have in New York City, but I am concerned about what the report fails to say.

New York's public schools, like nearly all others across America, are built on the "delegation" model, by which parents and citizens have delegated the job of educating children to a government bureaucracy, which then is supposed to be "held accountable" through publicly representative school boards. This kind of arrangement does not work too badly in smaller communities where other, informal types of responsibility and accountability can generate productive teaching and learning relationships. In the larger cities, however, this model of education has almost uniformly proved grossly ineffective in producing adequate levels of educational achievement all across the country.

As it turns out, elsewhere in the country educators and scholars have been seeking other solutions. They see that bureaucracy, with its top-down, chain-of-command management model, and the concept of delegation, with its disempowerment of the key educational actors -- students, teachers, and parents -- is the wrong model for successful education.

Some of them are beginning to conceive of public education as a shared responsibility of home, school, and community, where public schools would still remain public, but would be held accountable less through

political representation on school boards and bureaucratic chains of command, and more through the development of trust and a sense of partnership among students, teachers, parents and community at the school level.

The partnership approach (which includes considerably more choice within the public system) holds real promise. Atlanta and Indianapolis are already trying it in varying degrees with good results, and there are some beginnings of this approach in New York -- in the alternative schools, experiments with school level planning, school-business partnerships, and involvement of community agencies in dropout prevention.

It will take time to shift over to a partnership approach, but that is what we must be about if we want our schools to work. Meanwhile, there are certainly improvements in the present decentralization arrangements that can and should be made. As this report reminds us, many of the advocates of decentralization pointed out at the time the present law was passed that it was seriously flawed and likely to lead to the proliferation of local school bureaucracies and a confusion of authority, responsibility and accountability between local and central authorities.

But we should not deceive ourselves that these improvements in the governance machinery will make the real changes needed in the way schools function or in the relationships between home, school and community -- or in the ultimate goal of it all: the academic and personal achievement of the city's children. Nor should we assume that the improvements needed to patch up a flawed decentralization law will be permanent. Governance will ultimately look very different once we stop hoping for salvation from delegating power to central or local school bureaucracies, supposedly held accountable by central or local school boards.

SEPARATE STATEMENT OF JEANNE SIGLER AND WILLIAM JOSEPHSON

The Public Education Association's report on New York City School District governance has assiduously developed comprehensive recommendations for changes based on current fact finding. We agree with the major thrust of the findings and recommendations, that the community boards have not done badly; that they might have done better had the central authorities, like the Chancellor and the Board of Education, facilitated instead of hampered their efforts, devolved greater authority to them as envisioned by law instead of rigidly holding onto and even recentralizing certain community board powers and duties; that the Chancellor should be freed of operational responsibility for high schools, special education and support functions so that he can devote all his resources to citywide public education leadership and monitoring; and that the Board of Education itself become an advocate for public education in New York City.

Certainly, the community board election process should be simplified by eliminating proportional representation and substituting single member community board constituencies based on intermediate school zones. Community boards of education are ultimately political bodies and in order to increase participation in their elections by candidates and voters and simplify the administration of those elections, their elections should be held on primary or general election days. To the argument that those elections should be held in advance of the beginning of the school year, we reply that by the Spring, the budget decisions most critically

affecting the operating of elementary and intermediate schools in the forthcoming year have mostly been made. Community boards elected in the Fall will have a chance to affect the budgets for their first full school year.

We have no illusions that improving City School District governance will automatically translate into better public education. But we do believe that better governance can create a better political environment in which better public education can more easily take place. Certainly, the enactment in 1969 of the community school district system improved the political environment for public education. If adopted, PEA's recommendations should improve it even more.

Alternatives to Mayoral appointment, including no Board as the Regents advocated in 1969, an elected board, a board composed of some elected and some appointed representatives, a board composed of some elected, some appointed and some community board representatives, deserve further consideration. The present system under which the Borough Presidents have appointed a majority has not worked well, although until very recently the Mayor's appointees to the Board have not been exactly distinguished either. However, if there is to be an appointed board, we agree with PEA's recommendation that the Mayor of the City of New York appoint all of its members. The Mayor, who has control of the Board of Education's expense and capital budgets has the ultimate power anyway, and he/she might as well have direct political responsibility for the Board as well.

If the Mayor is to have the power of appointment of the Board of Education, how is that power to be exercised consistent with the diverse

City interests in public education? PEA proposes a selection panel, (appointed by the Mayor), and our disagreement with this proposal is our reason for this separate statement. We believe the political process itself is the best possible assurance of the representativeness and quality of the Mayor's appointments. We believe that the interaction between the Mayor and a selection panel will degenerate into horse trading at the expense of quality and representativeness. The history of the use of selection panels for Board of Education appointments in New York City certainly supports this view. Each of the successive New York City Boards of Education which the Legislature had to remove in the 1960's were the result of interaction between a selection panel and a Mayor. PEA's advocacy of a selection panel is inconsistent with its general advocacy of greater accountability for public education. Such a panel would dilute the Mayor's accountability.

If some political device to ensure the quality and representativeness of the Mayor's Board of Education appointments is required, the Mayor's appointees could be subject to the advice and consent of the Board of Estimate and/or City Council. The latter is a representative body likely to become more potent if the recent federal court judgment requiring alteration or abolition of the Board of Estimate is ultimately carried into effect.

INTERVIEWS

The list below includes individuals formally interviewed for this report, and attempts to indicate both present and former affiliations with the New York City public school system. We would also like to thank those individuals, also interviewed for this report, who declined to be named.

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